United Nations A/64/899 S/2010/442

General Assembly
Security Council

Distr.: General
23 August 2010

Original: English

General Assembly
Sixty-fourth session
Agenda item 110 (c)
Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Security Council
Sixty-fifth year

Election of a member of the International Court of Justice

Memorandum by the Secretary-General

I. Introduction

1. By a letter dated 29 April 2010, a certified copy of which was forwarded to the attention of the Secretary-General under the cover of a letter of 3 May 2010 from the President of the International Court of Justice, Judge Thomas Buergenthal (United States of America) informed the President of the Court, pursuant to Article 13, paragraph 4, of the Statute of the Court, of his resignation as a member of the Court effective 6 September 2010. A vacancy in the Court therefore will occur on 6 September 2010.

2. Judge Buergenthal was elected as a member of the Court on 2 March 2000 and was re-elected from 6 February 2006. His current term of office would have expired on 5 February 2015. According to Article 14 of the Statute of the Court, the vacancy shall be filled by the same method as that laid down for the regular election, and the Secretary-General shall, within one month of the occurrence of the vacancy, issue the invitations for nominations provided for in Article 5 of the Statute. According to Article 5, paragraph 1, of the Statute, the invitations for nomination have to be made at least three months before the date of the election, which is, pursuant to Article 14, to be fixed by the Security Council.

3. By a note dated 27 May 2010 addressed to the Security Council (S/2010/255), the Secretary-General referred to Judge Buergenthal's letter of resignation and drew the attention of the Security Council to Article 14 of the Statute of the Court regarding fixing the date of the election to fill the resulting vacancy in the Court. Pursuant to Article 14 of the Statute of the Court, the Security Council decided, by its resolution 1926 (2010), that the election to fill the vacancy should take place on 9 September 2010 at a meeting of the Council and at a meeting of the General Assembly at its sixty-fourth session.

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4. Pursuant to Article 5, paragraph 1, of the Statute of the Court, the Secretary-General, in a communication dated 3 June 2010, invited the national groups of States parties to the Statute of the Court to undertake the nomination of persons in a position to accept the duties of a member of the Court. The Secretary-General further requested that nominations be received no later than 12 August 2010. The nomination received by that date and the curriculum vitae of the candidate are transmitted in separate documents (A/64/900-S/2010/443 and A/64/901-S/2010/444, respectively). The name of the candidate will appear on the ballot papers to be distributed during the election.

5. Article 15 of the Statute of the Court provides that a member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of the predecessor's term. The member elected to replace Judge Buergenthal will thus serve until 5 February 2015.

6. The current composition of the Court and the procedure in the General Assembly and the Security Council for filling the vacancy are described below.

II. Composition of the International Court of Justice

7. The present composition of the International Court of Justice is as follows:

President:
Hisashi Owada (Japan)*

Vice-President:
Peter Tomka (Slovakia)*

Judges:
Xue Hanqin (China)*
Abdul G. Koroma (Sierra Leone)*
Awn Shawkat Al-Khasawneh (Jordan)***
Thomas Buergenthal (United States of America)**
Bruno Simma (Germany)*
Ronny Abraham (France)***
Kenneth Keith (New Zealand)**
Bernardo Sepúlveda-Amor (Mexico)**
Mohamed Bennouna (Morocco)**
Leonid Skotnikov (Russian Federation)**
Antônio A. Cançado Trindade (Brazil)***
Abdulqawi Ahmed Yusuf (Somalia)***
Christopher Greenwood (United Kingdom of Great Britain and Northern Ireland)***

* Term of office expires on 5 February 2012.

** Term of office expires on 5 February 2015.

*** Term of office expires on 5 February 2018.

III. Procedure in the General Assembly and in the Security Council

8. The election will take place in accordance with the following:

(a) The Statute of the Court, in particular Articles 2 to 4, 7 to 12 and 14;

(b) Rules 150 and 151 of the rules of procedure of the General Assembly;

(c) Rules 40 and 61 of the provisional rules of procedure of the Security Council.

9. On the date of the election, the General Assembly and the Security Council will proceed, independently of one another, to elect one member of the Court to fill the vacancy (Art. 8 of the Statute).

10. According to Article 2 of the Statute, judges are to be elected, regardless of their nationality, from among persons of high moral character who possess the qualifications required in their respective countries for appointment to the highest judicial offices or are jurisconsults of recognized competence in international law. Article 9 requires electors to bear in mind not only that the person to be elected should individually possess the qualifications required, but also that, in the body as a whole, the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

11. The candidate who obtains an absolute majority of votes in both the General Assembly and the Security Council will be considered as elected (Art. 10, para. 1, of the Statute).

12. The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors whether or not they vote or are allowed to vote. The electors in the General Assembly are all 192 Member States. Accordingly, on the date of the present memorandum, 97 votes constitute an absolute majority in the Assembly for the purpose of the present Court election.

13. In the Security Council, eight votes constitute an absolute majority, and no distinction is made between permanent and non-permanent members of the Council (Art. 10, para. 2, of the Statute).

14. Only those candidates whose names appear on the ballot papers are eligible for election. The electors in the General Assembly and in the Security Council will indicate the candidate for whom they wish to vote by placing a cross against the name on the ballot paper. Each elector may vote for only one candidate.

15. At the 915th plenary meeting of the General Assembly, on 16 November 1960, a procedural discussion took place as to whether rule 94 (then rule 96) of the rules of procedure of the Assembly should be applied in elections to the International Court of Justice. That rule lays down a procedure for restricted ballots in the event that, after the first ballot, the requisite number of candidates have not obtained the required majority. The Assembly decided that the rule did not apply to elections to the Court, and it proceeded to elect the requisite number of candidates by a series of unrestricted ballots. That decision has been followed consistently.

16. If, in the first ballot in either the General Assembly or the Security Council, no candidate receives an absolute majority, a second ballot will be held and balloting will continue in the same meeting until a candidate has obtained the required

majority (rule 151 of the rules of procedure of the Assembly and rule 61 of the provisional rules of procedure of the Council).

17. Cases have arisen in the Security Council in which more than the required number of candidates have obtained an absolute majority on the same ballot. The practice followed by the Council has been to hold a new vote on all the candidates, and in such cases the President of the Council has made no notification to the President of the General Assembly until only the required number of candidates, and no more, had obtained an absolute majority in the Council.

18. When a candidate has obtained the required majority in one of the organs, the President of that organ will notify the President of the other organ of the name of that candidate. Such notification is not communicated by the President of the second organ to the members until that organ has itself given a candidate the required majority of votes.

19. If, upon comparison of the name of the candidate so selected by the General Assembly and the Security Council, it is found that the result is different, the Assembly and the Council will proceed, again independently of one another, in a second meeting and, if necessary, a third meeting to elect one candidate by further ballots, the results again being compared after one candidate has obtained an absolute majority in each organ. If necessary, the above procedure will be repeated until the General Assembly and the Security Council have given an absolute majority of votes to the same candidate.

20. If, however, after the third meeting, the vacancy still remains unfilled, the special procedure set out in Article 12 of the Statute of the Court may be resorted to at the request of either the General Assembly or the Security Council.

United Nations A/64/900–S/2010/443

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Sixty-fourth session
Agenda item 110 (c)
Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Security Council
Sixty-fifth year

Submission of a nomination by national groups

Note by the Secretary-General

1. In a letter dated 3 June 2010 addressed to the States parties to the Statute of the International Court of Justice, the Secretary-General drew attention to the fact that a seat on the Court had become vacant as a result of the resignation, with effect from 6 September 2010, of Judge Thomas Buergenthal (United States of America). In the same letter, the Secretary-General, in accordance with Article 14 of the Statute of the Court, issued the invitation provided for in Article 5, paragraph 1, of the Statute concerning the nomination of persons in a position to accept the duties of a member of the Court. He also requested that nominations be submitted by 12 August 2010 at the latest.

2. The Secretary-General has the honour to submit to the General Assembly and the Security Council, in accordance with Article 7 of the Statute of the Court, the name of the candidate nominated by the national groups (see annex).

3. The composition of the Court and the voting procedure to be followed by the General Assembly and the Security Council are set out in a memorandum from the Secretary-General issued as document A/64/899-S/2010/442. The curriculum vitae of the candidate is contained in document A/64/901-S/2010/444.

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Annex

Submission of a nomination by national groups (12 August 2010)

Name and nationality	*National group submitting the nomination*
Joan E. Donoghue (United States of America)	Argentina
	Australia
	Austria
	Bulgaria
	Burkina Faso
	Canada
	Chile
	China
	Costa Rica
	Finland
	France
	Germany
	Greece
	Ireland
	Italy
	Japan
	Mexico
	Netherlands
	New Zealand
	Norway
	Poland
	Republic of Korea
	Romania
	Russian Federation
	Slovakia
	Slovenia
	Spain
	Switzerland
	Thailand
	United Kingdom of Great Britain and Northern Ireland
	United States of America

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Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Security Council
Sixty-fifth year

Curriculum vitae of the candidate nominated by national groups

Note by the Secretary-General

I. Introduction

The Secretary-General has the honour to submit to the General Assembly and to the Security Council the curriculum vitae of the candidate nominated by the national groups for the election to fill a vacancy in the International Court of Justice caused by the resignation of Judge Thomas Buergenthal (United States of America). The information on the nominations by national groups has been circulated in document A/64/900-S/2010/443. The composition of the Court and the voting procedures to be followed in the General Assembly and in the Security Council are contained in a memorandum by the Secretary-General issued as document A/64/899-S/2010/442.

II. Curriculum vitae

Joan E. Donoghue (United States of America)

Current position

U.S. Department of State

Principal Deputy Legal Adviser

2007 to present

- Senior career attorney of the Department of State
- Acting Legal Adviser, January to June 2009 (advice to Secretary Clinton and President Obama on all aspects of international law)

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- Advice on development, interpretation and application of international humanitarian law and human rights law
- U.S. submissions in advisory proceedings in *Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo* (International Court of Justice)
- Advice on drafting, negotiation and implementation of resolutions of the Security Council, General Assembly and other United Nations bodies
- Oversight of legal work related to the law of the sea, Antarctica, the Arctic, fisheries and the environment
- Supervision of U.S. advocacy in Iran-United States Claims Tribunal and North American Free-Trade Agreement (NAFTA) investor-state arbitration
- Head of delegation, bilateral claims negotiations with Iraq
- Legal advice and congressional testimony regarding 2008 U.S.-Iraq Security Agreement and Strategic Framework Agreement
- Implementation of President Obama's Executive Orders on Guantanamo, detention and interrogation
- Oversight of treaty approval process, including testimony for advice and consent of U.S. Senate
- Representative to U.S.-European Union Legal Dialogue
- Representative to Council of Europe Committee of Legal Advisers

Previous international law positions

George Washington University School of Law

2005

- Adjunct Professor, Public International Law

U.S. Department of State

2000-2001

Deputy Legal Adviser

- Oversight of bilateral law enforcement cooperation
- Implementation of legislation on foreign assistance and economic sanctions
- Supervision of international economic issues, including legal aspects of bilateral investment treaty (BIT) negotiation and formulation of model BIT provisions

1994-1999

Assistant Legal Adviser for Economic and Business Affairs

- Legal adviser in negotiation of understandings with the European Community regarding U.S. economic sanctions and conflicts of jurisdiction

- Litigation regarding U.S. state and local sanctions (*Crosby v. National Foreign Trade Council*, United States Supreme Court)
- Legal adviser and supervisor in investment negotiations (bilateral investment treaties and Organization for Economic Cooperation and Development (OECD) Multilateral Agreement on Investment)
- Legal advice regarding OECD Anti-Corruption Convention
- Formulation of U.S. positions in NAFTA investor-state cases (*Loewen Group*, *Methanex*)
- Legal adviser in bilateral aviation negotiations

1993-1994

Assistant Legal Adviser for African Affairs

- Legal advice on the transition to democracy in South Africa, including work with U.S. Congress to revise federal law and work with U.S. states to repeal state sanctions
- Advice on international humanitarian law, including on the establishment of the International Criminal Tribunal for Rwanda
- Advice on recognition and state succession

Council on Foreign Relations International Affairs Fellow and visiting professor, Boalt Hall School of Law, University of California at Berkeley

1992

- Research and writing on international environmental law and immunities law
- Teaching of U.S. foreign relations law and international environmental law

Georgetown University Law Center

1991

- Adjunct Professor, Foreign Relations Law

U.S. Department of State

1989-1991

Assistant Legal Adviser for Oceans, Environment and Science

- Legal adviser, negotiation of United Nations Framework Convention on Climate Change
- Legal adviser, negotiation of Protocol Concerning Specially Protected Areas and Wildlife to the Cartagena Convention
- Legal Adviser, Meeting of the Consultative Parties to the Antarctic Treaty
- Formulation of positions in General Agreement on Tariffs and Trade dispute settlement (*Tuna-Dolphin* and *Turtle-Shrimp*)
- Submission to U.S. Senate of U.S.-USSR treaty on maritime boundary

- Representative to legal expert groups on liability for environmental damage
- Head of delegation and legal adviser in fisheries negotiations

1986-1989

Director, Office of Diplomatic Law and Litigation

- Head of office responsible for foreign state immunity, head of state immunity, immunity of diplomats and special missions immunity
- Litigation and legislation regarding U.S. Foreign Sovereign Immunities Act
- Litigation regarding immunity of Heads of State, diplomats and other personnel
- Congressional testimony regarding diplomatic immunity
- Negotiation of international agreements governing privileges and immunities

1986

Attorney, Office of Law Enforcement and Intelligence

- Negotiation of extradition and mutual legal assistance agreements
- Legal advice related to international narcotics issues

1984-1986

Attorney, Office of Inter-American Affairs

- Member, U.S. team in *Nicaragua v. United States* (International Court of Justice)
- U.S.-Cuba migration negotiations
- Legal advice regarding implementation of Panama Canal Treaty
- Legal adviser in negotiation of Commission for the Study of Alternatives to the Panama Canal (U.S.-Panama-Japan)

Other professional experience

Freddie Mac

General Counsel and Corporate Secretary

2003-2005

Associate General Counsel, Legislative and Regulatory Affairs

2001-2003

- Leadership of Office of General Counsel after Board of Directors replaced the most senior executives in 2003 (initially as Acting General Counsel)
- Oversight of all litigation in regulatory and judicial proceedings
- Overhaul of corporate governance
- Elected Member of Board of Directors

U.S. Department of the Treasury

1999-2000

Deputy General Counsel

- Supervision of all aspects of Department's legal work
- Oversight of legal advice regarding regulations, licences and litigation under the International Emergency Economic Powers Act
- Supervision of legal work with respect to international financial institutions
- Management of litigation against Department of the Treasury

Covington & Burling, Washington, D.C.

1981-1984

- Federal court and administrative litigation

Education

Boalt Hall School of Law, University of California, Berkeley, J.D., 1981

University of California, Santa Cruz, B.A. with Honours in Russian Studies; BA with Honours in Biology, 1978

Publications

"The public face of private international law: prospects for a convention on foreign State immunity", 57 *Law and Contemporary Problems* 305 (1994).

"International law and policy-making about global change", in *The Ecological and Social Dimensions of Global Change* (David D. Caron, Terry Chapin, Joan Donoghue, Mary Firestone, John Harte and Lisa Wells, eds., Institute of International Studies, University of California at Berkeley, 1994).

Book review, *The International Politics of the Environment*, by Andrew Hurrell and Benedict Kingsbury, 88 *American Journal of International Law* 411 (1994).

"EC participation in the protection of the marine environment", 17 *Marine Policy* 515 (1993).

"Taking the 'sovereign' out of the foreign sovereign immunities act: a functional approach to the commercial activities exception", 17 *Yale Journal of International Law* 489 (1992).

"The trade provisions of international environmental agreements: can they be reconciled with the GATT?", 86 *American Society of International Law Proceedings* 233 (1992).

"Perpetual immunity for foreign diplomats? A response to 'the Abisinito Affair: a restrictive theory of diplomatic immunity?'", 27 *Columbia Journal of Transnational Law* 615 (1989).

Selected honours and awards

Distinguished Honor Award (highest award given by the Secretary of State) (2009)

Presidential Rank Award (Meritorious Executive) (2009)

Younger Federal Lawyer (awarded by the Federal Bar Association) (1988)

Other information

Member, American Society of International Law

Member, District of Columbia Bar Association

Studied Russian, Arabic, Spanish and French

United Nations A/64/902–S/2010/445

General Assembly
Security Council

Distr.: General
24 August 2010

Original: English

General Assembly
Sixty-fourth session
Agenda items 16, 49 and 67

Question of Palestine

Culture of peace

Elimination of racism, racial discrimination, xenophobia and related intolerance

Security Council
Sixty-fifth year

Identical letters dated 23 August 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

In follow-up to my letter dated 9 April 2010 (A/ES-10/486-S/2010/184) and the letter dated 20 April 2010 from the Permanent Representative of Kuwait (A/64/751-S/2010/202), I am compelled to once again draw your attention to the very serious matter of the continued desecration and destruction by Israel of the historic Muslim Ma'man Allah (Mamilla) Cemetery in Jerusalem. These deplorable actions are being undertaken as the Israeli authorities continue to attempt to clear these hallowed grounds for the construction of a so-called "Centre for Human Dignity and Museum of Tolerance" as well as the construction of a "judicial complex" on another part of the Cemetery. The building of such institutions of "tolerance" and "justice" via the disinterment of human remains and the destruction of hundreds and hundreds of graves is obscene and appalling and should be offensive to any individual with moral conscience and basic human sensitivity.

As noted in the earlier letters, the Mamilla Cemetery is an ancient Muslim burial ground and holy site dating back at least to the twelfth century, where thousands of Palestinian families, religious figures and officials, scholars and martyrs have been laid to rest. For decades, this Cemetery has been recognized as a historic site, central to the Islamic religious sites and heritage in the City of Jerusalem, and was declared a historic site by the Muslim Supreme Council in 1927 and an antiquities site by the British Mandate authorities in 1944. For hundreds of years the Waqf (Islamic Endowment) of Jerusalem had cared for the Cemetery, but it has been prevented by Israel from accessing the Cemetery grounds since 1967, causing it to fall into disrepair. Even families of the deceased who have attempted

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over the years to repair and clean gravesites have faced obstructions, with repairs being destroyed or removed by Israeli authorities, ensuring that the Cemetery remains in constant disrepair.

Regrettably, in grave disrespect of the universal norms regarding burial sites, which are to be protected and preserved, in grave disrespect of the sensitivities and rights of the descendants of those buried in the Mamilla Cemetery and in a display of blatant contempt and disregard for Islamic religious and Palestinian cultural sensitivities, the Israeli authorities have carried out yet another wave of destruction in the Cemetery. Following the desecration and bulldozing of 1,500 graves last year, this month the Israeli authorities carried out the destruction of at least 150 recently restored tombs and grave markers as well as several older tombs in the Cemetery, disinterring more human remains. This condemnable act of destruction was carried out despite the fact that the Israeli court-appointed custodian of the Cemetery, Hajj Mustafa Abu Zahra, was permitted during the past few months to undertake minor maintenance and renovations in the Cemetery. Moreover, excessive force was used against those protesting this latest desecration of the Cemetery, including against Hajj Abu Zahra, who with other Jerusalemites tried to block the bulldozers.

We have thus been compelled to again draw your attention to Israel's disrespect for this historic Islamic burial ground as well for other religious and cultural heritage sites in the City of Jerusalem, which clearly amount to desecration and blatant intolerance. In this regard, it must be pointed out that several impartial reports have addressed the vulnerability of religious and historic sites in the Occupied Palestinian Territory and in Israel. This includes the 2009 International Religious Freedom Report of the United States State Department, which noted that the Government of Israel "implements regulations only for Jewish sites. Non-Jewish holy sites do not enjoy legal protection ...", and that "while well-known sites have de facto protection as a result of their international importance, many Muslim and Christian sites are neglected, inaccessible or threatened by property developers and municipalities."

Such actions, including the flagrant desecration of the Mamilla Cemetery, must be firmly condemned. Urgent efforts must be undertaken to preserve and protect the Mamilla Cemetery, a site of importance to the Palestinian, Arab and Muslim heritage. In this regard, Israel, the occupying Power, must be called upon by the international community to cease all such illegal, deplorable and provocative actions, which constitute yet further attempts by Israel to erase the Palestinian Arab identity, history and presence in the land and particularly in the Holy City of Jerusalem and which risk further inflaming religious sensitivities and destabilizing the very fragile situation on the ground.

I should be grateful if you would arrange to have the present letter distributed as a document of the General Assembly, under agenda items 16, 49 and 67, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations A/64/904–S/2010/448

General Assembly
Security Council

Distr.: General
27 August 2010
English
Original: Arabic

General Assembly
Sixty-fourth session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fifth year

Identical letters dated 23 August 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit herewith Lebanon's response (see annex) to the allegations contained in the Israeli letter dated 20 August 2010 (S/2010/440) regarding Lebanese vessels that have been attempting to deliver humanitarian assistance to the Gaza Strip.

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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Annex to the letter dated 23 August 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On 20 August 2010, the Permanent Representative of Israel to the United Nations transmitted an official letter to Your Excellency which contained a number of falsehoods and slanders.

In refuting the Israeli allegations, Lebanon would like to clarify its position on a number of matters, the most important of which are the following:

- Lebanon condemns the siege imposed by Israel on the Gaza Strip and calls on the international community to bring pressure to bear on Israel to lift that siege immediately and unconditionally, and to open crossing points in order to allow the free movement of persons, goods and humanitarian assistance;
- The Israeli siege of the Gaza Strip is a blatant violation of international laws and norms, particularly international humanitarian law, and clearly threatens international peace and security. Israel bears complete responsibility for the siege and the humanitarian disaster that it will bring about;
- Lebanese law does not permit maritime vessels or craft to sail directly to ports under the control of the Israeli authorities, including the port of Gaza;
- Lebanon abides by the laws regulating the movement of vessels from its ports. It therefore cannot prevent any maritime vessel from setting sail for any port as long as the vessel, the persons on board and its destination are in compliance with Lebanese law, and the vessel observes the provisions of Lebanese maritime law;
- The Lebanese authorities inspect all maritime vessels leaving Lebanese territorial waters in order to ensure that they are not carrying prohibited cargo and that no unauthorized persons are on board. The Lebanese authorities grant maritime vessels and craft permission to leave as long as the destination, cargo and persons on board are in compliance with Lebanese law;
- Lebanon emphasizes the substance of the statement issued by the President of the Security Council on 1 June 2010, in which the Council stressed that the situation in Gaza was not sustainable and underscored the need for sustained and regular flow of goods and persons to Gaza as well as the provision of humanitarian assistance throughout Gaza;
- Lebanon holds Israel responsible for any aggression against it and calls on the international community to bring pressure to bear on Israel to implement fully Security Council resolution 1701 (2006) and to halt its daily violations of Lebanese sovereignty and its continuing threats against Lebanon, its people and infrastructure;
- The Lebanese Government is most solicitous that the international community should succeed in lifting the siege imposed on Gaza, thereby underscoring the importance of implementing international law. Building on that success, the international community could then make a sincere effort to advance the process aimed at achieving a comprehensive and just peace. That process is of vital importance to achieving peace in our region and throughout the world.

(*Signed*) Ali Hussein **Al-Chami**
Minister for Foreign Affairs and Emigrants

United Nations S/2010/446

Security Council

Distr.: General
1 September 2010

Original: English

Report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. By its resolution 1892 (2009), the Security Council extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) until 15 October 2010, and requested me to report on its implementation semi-annually and not later than 45 days prior to its expiration. The present report covers major developments since my report of 22 April 2010 (S/2010/200 and Corr.1) until 31 August 2010. The report describes activities undertaken by the Mission in line with its mandate under Security Council resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007), 1840 (2008), 1892 (2009), 1908 (2010) and 1927 (2010), and provides a framework for the evolution of MINUSTAH over the coming year, including through the identification of milestones with respect to the fulfilment of the Mission's mandate.

II. Political and security update

Political update

2. Since my last report, despite a fragile political environment, progress has been made towards holding elections. At the request of the President, René Préval, in April I dispatched a multidisciplinary electoral feasibility mission to Haiti, which concluded that presidential, legislative and municipal elections were technically possible before the end of 2010. On 24 June, the Government issued decrees giving the Provisional Electoral Council a mandate to conduct presidential elections, and establishing 28 November 2010 as the date of presidential and legislative elections. On the same day, during the second meeting of the high-level Electoral Task Force, President Préval explained that municipal elections would not be held at the same time as the presidential and legislative elections, given the technical complexities of organizing elections for mayoral posts, Assemblées des sections communales and Conseils d'administration des collectivités territoriales within the tight electoral time frame.

3. Political party registration was opened for new parties and alliances wishing to take part in the presidential elections. Registration for the legislative elections postponed from February 2010 was not reopened since the November legislative elections would be considered a resumption of the previously suspended poll. Of a

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total of 19 newly registered parties and alliances, 12 were approved by the Provisional Electoral Council to participate in the presidential elections, bringing the total number of parties and alliances to 66. Thirty-four presidential candidacy applications were received by the Provisional Electoral Council, of which 19 were approved.

4. On 16 April, the Government issued a decree extending the state of emergency initially declared on 16 January and renewed on 31 January by 18 months. The Senate adopted an amendment to article 232 of the electoral law on 8 May, as previously approved by the Chamber of Deputies, allowing the President to remain in power until 14 May 2011, should presidential elections not be held in November 2010. On 10 May, the mandates of all the members of the Chamber of Deputies and one third of the Senate expired, leaving only 19 Senators to exercise legislative functions. Draft legislation referred to the Senate by the Chamber of Deputies for approval, prior to its dissolution, remained pending because of political deadlock between opposition Senators and those of the Inite party, triggered by the controversial amendment to the state of emergency law approved by the Senate on 10 May. The amendment paved the way for the establishment of the Interim Haiti Recovery Commission and provided exceptional powers to the executive branch, including requisitioning of land and property.

5. The amendments to article 232 and the state of emergency law adopted by the Senate and the Chamber of Deputies, as well as the decree establishing the Interim Recovery Commission, have been denounced by the political opposition and some civil society groups. Those parties and groups called for the replacement of the Provisional Electoral Council, which they accuse of partiality to President Préval and his party. MINUSTAH, through the good offices of my Special Representative, has been conducting consultations with a wide range of actors in order to address concerns and build trust in the political process. An Organization of American States (OAS)/Caribbean Community (CARICOM) electoral observation mission deployed to Haiti on 4 August and will observe the entire electoral cycle.

Security update

6. The security situation in Haiti remained generally calm but fragile. Although United Nations police reported an increased number of criminal incidents in the months following the earthquake of 12 January, the number of incidents filed to date is comparable to those of the same period in 2009. Nevertheless, the continuing existence of some 1,300 camps for displaced people, together with increasing gang activity linked in part to the escape of prisoners during the earthquake, the continuing weakness of rule-of-law institutions, and the potential political unrest associated with the electoral period, are factors contributing to a potentially volatile security environment.

7. Small-scale but frequent anti-Government demonstrations have been held throughout the country, organized by opposition groups. The demonstrations, typically demanding the resignation of President Préval, a reshuffling in the composition of the Provisional Electoral Council, and the acceleration of the reconstruction process, have to date not been widely supported or resulted in significant civil disorder. Many of the demonstrations have been associated with the aim of re-establishing an interim government and blocking the constitutionally mandated elections.

8. Security in the camps for displaced people, in particular the vulnerability of women and children and the extent of sexual and gender-based violence, is of concern, especially in camps adjacent to traditional slum areas such as Cité Soleil and Martissant that are insecure at night because of reported gang activities. It is difficult to determine the extent to which the currently reported numbers represent an increase compared to the pre-earthquake period, owing to the lack of reliable and comprehensive data. As living conditions remain difficult, there is also a risk that the displaced may be vulnerable to manipulation by political opportunists and criminals.

9. The electoral period may bring to the fore new threats to stability. MINUSTAH has noted an increasing number of weapons in circulation, especially in the traditionally high crime areas of the capital. In addition, there is a risk that campaigning for the forthcoming elections — particularly the legislative — may be tainted by financing from illegal activities, including the drug trade, which continues to be a destabilizing factor in Haiti. Before the earthquake, drug trafficking tended to consist of cocaine and marijuana being trans-shipped through Haiti, using the southern coast and clandestine airstrips in the south and north. The earthquake seems to have had little effect on the shipments. Just weeks after the disaster, MINUSTAH received reports of regular use of illegal airstrips, particularly in the north, and nearly all drug routes and operations seem to have been reactivated. Incidents of criminal activity, particularly kidnapping for ransom, have increased since the earthquake, with more affluent victims targeted, particularly in the Pétion-Ville area in the capital and in the North and North-East Departments.

III. Update on the humanitarian and recovery situation

10. The Government of Haiti estimates that 1.3 million people continue to be displaced, spread across some 1,300 spontaneous settlement sites in Port-au-Prince, Jacmel and Léogâne, as well as in Artibonite Department, and host families outside the capital. While efforts to register all displaced and their locations are ongoing, their continuing movements have hampered the compilation of reliable data. The situation in the camps remains complex, given a shifting population and fluctuating use of camps. Of the more than 600,000 people believed to have left Port-au-Prince in the wake of the earthquake, the majority are now thought to have returned.

11. The Ministry of Public Works, with the support of the international community, has assessed the structural damage of some 230,000 buildings, including over 150,000 residences since my last report. Of these, 50.2 per cent are deemed to be structurally sound, some 27.3 per cent are assessed to need some repair work, and 22.4 per cent are recommended for demolition. Despite these assessments, returns remain slow and reconstruction is still hampered by immense amounts of rubble and debris. Forced evictions, or threats to evict the displaced from spontaneous camps by landowners or their tenants, have become increasingly frequent. A recent survey of 1,268 camps found that 29 per cent of closed camps had been closed because of forced evictions or negotiated departures. In an effort to identify sites for sustainable resettlement, the Government has identified over 6,500 hectares of land in the Port-au-Prince area. Assessment of the viability of that land for large-scale resettlement is ongoing.

12. More than half a year after the earthquake of 12 January, the immediate humanitarian needs of the displaced population in Port-au-Prince and the regions have largely been addressed. Since my last report, some 4.3 million people have received food aid, and more than 1.5 million have received emergency shelter. Over 90 per cent of the internally displaced persons in the capital have access to nearby health clinics, and 2.1 million people have received non-food items, including hygiene kits. A total of 11,000 latrines have been installed, sufficient for the majority of the displaced. Water supply continues to reach 1.2 million people and the nutrition situation remains stable and under the emergency threshold.

IV. Activities of the United Nations Stabilization Mission in Haiti

Preparations for elections

13. In accordance with Security Council resolution 1927 (2010), and at the request of President Préval, MINUSTAH has been providing technical, security and logistical support to the Government and the Provisional Electoral Council in the preparation of presidential and legislative elections, and has begun to coordinate international electoral assistance, in cooperation with international partners, particularly OAS and CARICOM.

14. Since my last report, MINUSTAH has, in collaboration with the United Nations Development Programme (UNDP), provided technical support to the Provisional Electoral Council in the preparation of the timetable and budget for the elections. On 4 August, the Government, the Provisional Electoral Council, UNDP and MINUSTAH signed the project document with a budget of US$ 28.9 million, which covers the costs of organizing presidential and legislative elections. The Government will contribute $7.03 million towards the electoral budget, in addition to the $992,862 left over from previous elections. The following donors announced their pledges for the organization of elections: the United States ($5 million), the European Union (€5 million) and Brazil ($500,000). With additional contributions expected to be announced shortly, the electoral budget deficit is expected to be around $4 million at the time of writing. MINUSTAH also assisted the Provisional Electoral Council in developing a project to update the voter list, which will enable the displaced persons to vote. The voter list update, being conducted by the Provisional Electoral Council in coordination with the Office national d'identification, began on 20 August and should be completed by 28 September.

15. In support of the electoral process, MINUSTAH and the Provisional Electoral Council inspected all 1,483 voting centres throughout the country, and identified new locations to replace those that had been damaged or destroyed in the West, South-East and Nippes Departments. The Haitian National Police, alongside the MINUSTAH military and police components, began a security assessment of all voting centres, to identify the most vulnerable and develop national and regional security plans. Preparations for an integrated National Police and MINUSTAH electoral logistics and security plan, to cover the provision of escorts and protection for electoral observers, and to secure electoral material and polling centres, began in mid-June.

Military component

16. The military component of MINUSTAH continued to deliver critical support to relief and recovery efforts during the reporting period, while gradually refocusing its work on three priority areas: ensuring a secure and stable environment, particularly through the protection of internally displaced persons and host communities; preparing for natural disaster response; and support to the elections. A total of 1,723 military personnel, of the additional 2,000 authorized by the Security Council in resolution 1908 (2010), have deployed as at 17 August 2010, and engineering companies from Indonesia and Paraguay, with just under 300 personnel, are expected to deploy by the end of the year.

17. Military engineers from Japan and the Republic of Korea, deployed as part of the surge, joined existing engineering companies from Brazil, Chile and Ecuador to support the Government's post-earthquake humanitarian efforts. Major works include the improvement of public access roads, including the road linking Port-au-Prince to Malpasse on the border with the Dominican Republic; the demolition of damaged government buildings; the clearing of 4,730 cubic metres of debris from canals; and rehabilitation work on the National Penitentiary and the National Police Academy. The preparation of the terrain in three major camps in the Port-au-Prince area permitted the accommodation of approximately 14,000 internally displaced persons. In addition, mitigation projects to improve the terrain at the Pétion-Ville Club camp in Port-au-Prince ensured that 50,000 internally displaced persons had safer living conditions. Support to humanitarian partners, coordinated through the Joint Operations Tasking Centre, was conducted, including the removal of debris from schools, churches, hospitals and residential care centres for children, and the transport of containers filled with items donated to the Haitian population.

18. The military component, together with national and regional stakeholders, has developed a flooding contingency plan in anticipation of the hurricane season. For this, training and exercises have been carried out, including a simulation exercise in Gonaïves in July, which involved MINUSTAH components, the Government of Haiti, the United Nations country team and other partners. Flood prevention measures, including the clearing of ditches and the building of culverts and levees, have been taken in Port-au-Prince, Léogâne and Jacmel.

19. Since May, planning has focused on the development of an integrated approach to security for internally displaced persons in collaboration with the Haitian National Police and United Nations police, as well as civilian components of MINUSTAH. This community-friendly approach emphasizes the military's sustained and visible presence in and around the camps most at risk, where gangs are known to operate. In view of the weakening of rule-of-law institutions by the earthquake, the military component has also expanded its support to the State's border management efforts through increased land and maritime patrols, as well as air surveillance alongside Haiti's immigration and Customs agents, the Haitian National Police and United Nations police.

Police component

20. The Security Council by resolutions 1908 (2010) and 1927 (2010) authorized an increase of 2,180 officers, including 100 corrections officers and 2,080 police officers. This increase brought the total authorized police strength to 4,391,

including 1,351 individual police officers, 2,940 personnel for formed police units and 100 corrections officers. As at 15 August, 1,181 individual police officers and 1,838 formed police unit personnel are deployed, for a total strength of 3,019. The surge permitted the police component to expand its tasks, with particular focus on protecting displaced people and vulnerable groups, and building the capacity of the Haitian National Police. Another key post-earthquake activity includes assistance to the National Police in apprehending the prisoners who escaped from the National Penitentiary. As at 11 August, 629 prison escapees had been recaptured out of the 5,409 who left the prisons during the earthquake.

21. Police component activities aimed at protection of the displaced have increased during the reporting period. United Nations police have conducted joint foot patrols and sweep operations in camps of internally displaced persons across the capital. United Nations police gender focal points in each of the six high-risk camps assist victims of sexual and gender-based violence in filing police reports and monitoring National Police investigations. Regular and direct contact with internally displaced persons has gradually increased confidence. United Nations police also continue to co-locate with the National Police in the 10 departments of the country, monitoring and mentoring at commissariats and border crossing points. An updated, post-earthquake co-location plan has been developed, prioritizing engineering work in 50 commissariat locations.

22. With regard to strengthening the capacity of the Haitian National Police, the police component, together with UNDP, has continued to assist in implementing the National Police reform plan through support to the selection of 1,016 new recruits, and the vetting of new and existing personnel. Training activities have not recommenced since the earthquake, in part because the Police Academy was being used by parliamentarians until mid-August. United Nations police also provided technical capacity-building in border management and the protection of minors, the latter in coordination with the United Nations Children's Fund (UNICEF). To support the 28 November elections, United Nations police have begun preparations to train approximately 4,200 local electoral security agents. On 6 August, under the auspices of MINUSTAH, a letter of intent on cooperation between the Dominican and Haitian police was signed in Port-au-Prince by the Directors-General of the two police services. It is the first time that an agreement on security and police matters between the two countries has been reached.

23. The MINUSTAH police concept of operations has been updated to reflect developments on the ground, particularly relating to internally displaced persons, and on building the capacity of the National Police as called for in resolution 1927 (2010).

Protection of vulnerable groups

24. Protecting vulnerable groups, including the displaced, particularly women and children, is a Mission priority. Since my last report, MINUSTAH has been focusing its efforts on addressing two threats to the displaced population, namely, physical insecurity and forced evictions. Living conditions in the camps, including overcrowding, poorly secured tents, open washing areas and inadequate lighting, have contributed to security incidents, including sexual and gender-based violence. Cases of forced — and at times violent — evictions have become increasingly common in recent months, as landowners wished to recover their property. Physical

vulnerability has been exacerbated by the insufficient presence of law-enforcement authorities, limited access to justice, and a lack of socio-economic opportunities for the displaced population.

25. The MINUSTAH police and military components, in coordination with the human rights and gender sections, are implementing a community-based approach in support of the Haitian National Police to deter criminal activity in and around at-risk camps of internally displaced persons. To this end, an Internally Displaced Person Camp Unit, comprising 195 individual police officers and 270 formed police unit personnel, and a Gender Unit comprising six female United Nations police officers were established. These units coordinate the police component's activities on protection of the internally displaced. Permanent United Nations police presence is now maintained in the six most at-risk camps in Port-au-Prince. Furthermore, three Haitian National Police, United Nations police and formed police unit mobile squads, composed of six mobile patrol teams, have also begun daily patrols in 18 additional camps out of 70 pre-identified priority sites.

26. In addition, the military component conducts a combination of permanent, semi-permanent and random patrols around 863 camps in and outside Port-au-Prince. There are currently 20 camps covered closely by military security, including those identified as most at risk. Two of the 20 camps have static security (Corail Cesselesse and Tabarre Issa), four are covered by 24-hour patrols (Jean-Marie Vincent, Champs de Mars, Pétion-Ville and Sainte Bernadette) and 14 are covered by daily patrols.

27. MINUSTAH developed measures to address sexual and gender-based violence, including a training curriculum for Haitian National Police, United Nations police and military personnel in the identification and handling of those cases, the establishment of a referral system, and a mechanism for systematic reporting and data collection. The Mission's Child Protection Unit, together with UNICEF and other partners, conducted regular visits to internally displaced person sites to monitor and report cases of serious child rights violations, and followed up with governmental counterparts. The National Police has also conducted investigations into allegations of trafficking and sexual exploitation and violence. Communication materials have been produced to improve the protection of displaced children, and campaigns are under way to protect children from trafficking, sexual violence and exploitation and abuse.

28. With regard to threats and cases of forced evictions, MINUSTAH has facilitated negotiations with landowners, mediated disputes, and advocated for the respect of the rights of internally displaced persons. Policy recommendations on the safeguarding of displaced persons' rights during camp closures were transmitted by the protection cluster to the Government, and are under consideration. The issue of forced evictions can be resolved only through the establishment and implementation of a comprehensive national relocation strategy.

Community violence reduction

29. Following the earthquake, the Community Violence Reduction Section rapidly scaled up projects by supporting communities in areas most affected by violence. One hundred projects totalling $14 million were ongoing during the reporting period. While the majority of projects address immediate needs in the Port-au-Prince area, 26 projects were approved in four additional areas, including

Cap-Haïtien, Gonaïves, Léogâne, Gressier, Petit-Goâve, Grand-Goâve and the nine communes of the South Department.

30. In preparation for the hurricane season, projects include the rehabilitation of 56 drainage canals and 15 watershed management systems in high-risk flooding areas of Port-au-Prince. By November, these projects will have employed 44,000 workers, built over 3,000 dry-stone dams over a length of 45 km of ravines and rehabilitated 26 km of canals. A business mentorship and training programme has begun, which supports the creation of 34 small enterprises headed by women from slum areas, while 120 youths were being trained in professional skills and 200 other trained youths were being provided jobs with private sector enterprises. Repair work is under way at the Jacmel prison and the National Penitentiary in Port-au-Prince. Live transmissions of the 2010 World Cup football matches were shown on projection screens in disadvantaged neighbourhoods of the capital, internally displaced person camps and the national stadium. Simultaneously, 640 children from the neighbourhoods of the greater Bel Air area took part in a "Mini World Cup" tournament. Projection screens continued to show Haitian films, documentaries and social messages in the most violence-prone areas of Port-au-Prince.

Support to State institutions

31. MINUSTAH continued its support to the Ministry of the Interior and State institutions at the subnational level through its regional offices. In particular, MINUSTAH helped the Ministry of the Interior prepare the 140 municipal budgets for the new fiscal year, and jointly identified capacity-strengthening requirements at the regional level to support the decentralization process. Accordingly, to foster the implementation of the Action Plan for National Recovery and Development of Haiti and the Government's decision to assert the role of the departmental delegates and their deputies in the coordination of deconcentrated services, the Mission has so far placed four national officers to provide them with technical advice. In accordance with the provisions of Security Council resolution 1927 (2010), the Mission, together with UNDP, supported the Ministry of the Interior in the construction of five temporary buildings to facilitate the functioning of municipal administrations in earthquake-affected areas. The recently established sub-office in Léogâne, near the epicentre of the earthquake, continued to work with the Office for the Coordination of Humanitarian Affairs and local authorities to support relief and reconstruction efforts. MINUSTAH further facilitated the visit of nine technical staff from the Haitian Parliament to the Dominican Republic to exchange experiences and share administrative procedures and good practices.

Justice

32. Although progress in strengthening the operational capacity of the justice sector as a whole has been slow, there have been encouraging developments. In July, the tribunal of Port-au-Prince resumed its criminal and correctional hearings in makeshift buildings. However, the Cour de Cassation remains non-functional because of the remaining five vacancies on the court. Eight members of the Conseil supérieur du pouvoir judiciaire have thus far been either elected or appointed, and the vetting and certification process for those members was completed more than a year ago and submitted to the Ministry of Justice and Public Security. However, the Government has yet to formalize the establishment of the Conseil supérieur du pouvoir judiciaire or appoint the President of the Cour de Cassation, who would also

serve ex officio as Chair of both the Conseil supérieur du pouvoir judiciaire and the Board for the Magistrates' School.

33. To promote access to justice for the poor, MINUSTAH, together with the International Legal Aid Consortium and other partners, assisted the Ministry of Justice and Public Security in the establishment of three legal aid offices in the Port-au-Prince area targeting internally displaced persons, and one office in Cap-Haïtien. In addition, the Community Violence Reduction Section, in partnership with Viva Rio, a Brazilian non-governmental organization, is opening a legal aid office in the area of Bel Air. A total of 14 legal aid offices now operate throughout the country. As a result of a selection process concluded in August, 20 new potential judges and prosecutors were recruited and will undergo a 16-month training programme beginning in September. Training of justices of the peace resumed in July, while in-service training courses for all prosecutors began with support from MINUSTAH and UNDP as part of the integrated partnership between MINUSTAH and UNDP across the rule-of-law sectors. In order to reduce pretrial detention rates, the Ministry of Justice and Public Security, with the assistance of MINUSTAH and UNDP, jointly developed a concept to rapidly increase the capacity of the justice sector in Haiti. This project would establish additional branches — or court annexes — to expand existing court capacity.

Corrections

34. Before the earthquake, the Corrections Unit focused on the implementation of the Strategic Development Plan 2007-2012, developed by the Direction de l'administration pénitentiaire. After the earthquake, the priorities were altered to ensuring the security of the prisons and well-being of detainees. Assessments revealed considerable infrastructural damage to the prisons including the administration facilities, resulting in even more limited cell space and dire detention conditions. Prison administration is a challenge in view of the loss of files and registries during the earthquake, which contributes to increased instances of arbitrary and prolonged pretrial detention. Current activities focus on the training of 300 newly recruited corrections officers, increasing cell space, improving prisoners' registration and living conditions, and encouraging Haitian authorities to implement basic remedial measures to minimize the disproportionate use of pretrial detention and reduce the prison population.

Human rights

35. Under the lead of MINUSTAH, the protection cluster developed policy recommendations for the Government and the humanitarian community, and submitted policy proposals to the Government on the respect of internally displaced persons' rights during relocations and camp closures. The cluster has also organized seven internally displaced person protection training sessions for more than 200 camp managers, human rights monitors and civil servants. On prolonged pretrial detention, an integrated MINUSTAH team undertook advocacy with the Haitian authorities, leading to the release of 37 illegally detained persons. MINUSTAH worked with civil society groups to strengthen their understanding of social and economic rights, and encourage their engagement in the country's reconstruction. Activities included discussion forums with groups such as the Parlement Jeunesse to promote dialogue on the Government's Action Plan for National Recovery and Development. MINUSTAH and the Office of the United Nations High

Commissioner for Human Rights have also increased collaboration with the Office de la protection du citoyen through the provision of an international consultant and support for field offices. The United Nations is currently cooperating with a national commission of inquiry formally established by the Government of Haiti in accordance with a presidential decree to investigate the facts and circumstances of the events at Les Cayes prison on 19 January 2009. The Commission is composed of six members, three of whom are appointed by the Government and three by the United Nations.

Child protection

36. MINUSTAH supported the Government in addressing child protection issues and continued to train Haitian National Police officers on the protection of and response to vulnerable and displaced children. A UNICEF-supported project carried out additional training to strengthen the response capacity of the National Police Brigade de protection des mineurs and social welfare officers in camps of internally displaced persons. MINUSTAH and UNICEF also provided support to the Brigade to establish a hotline to receive and ensure prompt responses to serious child protection concerns. United Nations police officers carried out regular visits to the border with the Dominican Republic to assess child trafficking. The bill on adoption reform was adopted by the Chamber of Deputies and is being reviewed by the Senate. Advocacy was carried out to clarify the status of children who allegedly left the Delmas 33 Rehabilitation Centre on 12 January 2010 and were re-arrested by the National Police for evasion, in addition to the original criminal charges against them. MINUSTAH also followed up on individual cases of detained children to ensure that their cases are adjudicated expeditiously.

Public information

37. MINUSTAH funded the production and projection of a 16-part soap opera series in 20 camps of internally displaced persons, focusing on building awareness of social and health issues, including the protection of children and sexual and gender-based violence. In nine MINUSTAH multimedia centres, regular seminars were organized on voters' education, health and development, justice and human rights and environmental issues, in collaboration with civil society organizations. Radio MINUSTAH FM installed a new relay station in Gonaïves, and is in the process of installing another in Léogâne. During the reporting period, programming air-time increased from 36 hours per week before the earthquake to full-time broadcasting.

HIV/AIDS

38. MINUSTAH, with UNAIDS, realigned its activities and workplan according to national priorities and the National HIV and AIDS Interim Plan. MINUSTAH participated in assessment missions to internally displaced person camps and other vulnerable areas, including Bel Air and Cité Soleil, to integrate HIV prevention into the emergency response. It continued to provide support to people living with HIV, and facilitated HIV training for uniformed services, including the National Police and immigration and Customs officers. MINUSTAH also revised the training for peer leaders in HIV voluntary counselling and confidential testing, to raise awareness on preventing HIV and to contribute to the national response. Some 3,000 United Nations staff members have participated in the training.

Gender

39. MINUSTAH continued to provide institutional and technical support to the Ministry of Women's Affairs and Rights and to local authorities, including legal assistance to women and girl victims of violence. It also focused on awareness-raising and the training of community leaders on violence against women to promote attitudinal change among those communities.

Conduct and discipline

40. The Mission continued its efforts to increase awareness on prevention of sexual exploitation and abuse. Induction training on conduct and discipline was carried out, and outreach materials were developed for incoming personnel from all components in which the prohibition of transactional sex and the consequences of misconduct were stressed. During the reporting period, 1,571 mission staff were trained. MINUSTAH worked with United Nations agencies and non-governmental organizations to develop a common mechanism to address sexual exploitation and abuse.

Mission support

41. Mission support had two priorities during the report period, namely, the re-establishment of adequate physical premises for office and residential accommodation and camps for surge military and police, and the recruitment of personnel to enable the Mission to implement mandated activities.

42. The Mission undertook a review of support provided to regional and departmental offices, with a view to creating integrated regional offices with the United Nations country team. Considerable progress has been made towards establishing integrated regional offices in Léogâne and Jacmel, areas severely affected by the earthquake. A site has also been identified for an integrated regional office in Jérémie, as the present location is unsuitable. Ad hoc arrangements have been made in other locations pending an assessment of longer-term requirements. Greenfield sites continue to be identified and prepared for accommodating incoming contingents. To address the acute shortage of staff accommodation as a result of the expiration of the contract for accommodation on 7 September, a 250-person camp is being constructed; the aim is to have it commissioned by that time. The rehabilitation of an existing site at the Log Base to house the interim Mission headquarters has commenced with a target completion date of 31 October 2010. Providing adequate, safe and secure office and residential accommodation for all Mission personnel remains a major challenge. The implementation of the Liaison and Support Centre continues in Santo Domingo, and discussion with the Government of the Dominican Republic is progressing for the signature of a memorandum of understanding.

43. The increase in Mission troop and police strength and the expansion of mandated activities has created a capacity gap for logistical support and an acute shortage of support personnel. With the allotment of additional posts in the commitment authority for 2010/11 and posts identified for inclusion in the Mission budget proposal for 2010/11, a major recruitment drive has been undertaken to reduce this gap. A recruitment "Tiger Team" was deployed in August to recruit staff against the 324 new temporary posts in the commitment authority.

V. Recovery and development activities

Recovery activities

44. As the immediate humanitarian needs of the displaced have largely been addressed during the reporting period, efforts have been made to increase the assistance provided to communities in order to encourage resettlement to sustainable accommodation while ensuring that essential services will continue to be provided in camps. Maintaining consistency and quality of support is a major challenge and many humanitarian actors are already working at full capacity.

45. In addition to the activities described in paragraphs 11, 12, 29 and 30, the humanitarian community has begun providing transitional shelter to families identified as vulnerable. Transitional shelter refers to timber or steel frame structures that last a number of years and provide better protection, more privacy and generally more space than emergency shelter. As they are sturdier, transitional shelters take longer to build but, unlike permanent houses, they can be moved to different locations if necessary. To date, 11,425 transitional shelters have been constructed, providing more than 57,000 Haitians with a safer place to live. An additional 15,454 sets of transitional shelter materials are ready, waiting for the Government decision on the locations to build them, and 32,235 are in the pipeline. The United Nations and its partners plan to complete the construction of 139,000 transitional shelters by mid-2011. The construction of transitional shelters remains hindered by issues related to land rights and rubble removal. Meanwhile, some 8,000 displaced people living in four camps vulnerable to flooding or security concerns have been relocated to safer camps, including the new sites of Corail Cesselesse, Tabarre Issa and Corail Sector 3 in the greater Port-au-Prince area, and Camp Mayard in Jacmel.

46. Cash- and food-for-work projects have employed more than 150,000 people since 20 January. These programmes focus on labour-intensive tasks such as the removal and disposal of debris and rubble, as well as the clearing of drainage systems; the latter is particularly important given the onset of the rainy season. As a complement to the large-scale debris clearance initiative being developed by the Government, UNDP, UN-Habitat and the International Labour Organization (ILO) have designed a community-based debris management project to be implemented in six of the capital's earthquake-affected neighbourhoods with recently approved funding from the Haiti Reconstruction Fund.

47. As of July 2010, 80 per cent of primary schools in Port-au-Prince had reopened, compared to 72 per cent in Léogâne, and 100 per cent in both Petit-Goâve and Grand-Goâve as well as Jacmel. A minimum package of health services has been developed by the Ministry of Health with support from the World Health Organization and other partners, and aid agencies in camps are working together to ensure that key medical services are covered. A total of 3,252 children between 6 and 59 months were admitted to outpatient therapeutic feeding centres from January to June. During this period, some 633 children aged 6 to 59 months were admitted to inpatient stabilization centres. UNICEF and partners have also been equipping schools with hand-washing points, latrines, water tanks and soap.

48. The extreme vulnerability of Haitians — both inside and outside the camps — to hurricanes and tropical storms remains a serious concern. Under the leadership of the Direction de la protection civile of the Ministry of the Interior, in cooperation

with the United Nations country team, a number of steps have been taken to prepare for the hurricane season, including the establishment of logistics hubs around the country, pre-positioning of emergency rations, and the assessment of a total of 300 camps for vulnerability to storms and flooding. As a result of these assessments, measures are being taken to mitigate risk in the camps. The United Nations and humanitarian partners began working with the Government to accelerate contingency planning and disaster preparedness measures in all departments, and public information activities have begun, providing camp residents with crucial information on storm preparedness. Nevertheless, concern about vulnerability remains, especially regarding those in camps, as the number of hurricane shelters currently available is inadequate, and a large-scale evacuation in the event of a major disaster is beyond existing capacities.

Coordination mechanisms

49. The Government of Haiti increased its efforts to assume a leadership role in the coordination of humanitarian and recovery activities. As part of this, an ad hoc Presidential Commission on Resettlement was established to coordinate all stakeholders involved in the relocation and resettlement of internally displaced persons. Co-chaired by President Préval and the Deputy Special Representative of the Secretary-General/Resident Coordinator and Humanitarian Coordinator, Nigel Fisher, the Commission is working with the humanitarian community on the development of a strategy and operational plan to guide the development of incentive packages, the identification of the population at risk and the identification of available land. While high-level political negotiations continue, local-level authorities and organizations continue to work with humanitarian partners to identify incentive packages that facilitate ad hoc resettlements. The Government has now fully assumed its leadership role in the coordination of contingency planning and preparedness for the current hurricane season, through the Direction de la protection civile, with support from the United Nations humanitarian country team and MINUSTAH.

50. The Government reactivated the system of nationally led sectoral coordination groups (Tables sectorielles), based on the priorities identified in the Action Plan for National Recovery and Development. MINUSTAH, together with the United Nations country team and the Prime Minister's Office, worked to further integrate the existing humanitarian structures into the overall national coordination architecture, led by the Ministry of Planning. The leadership of the majority of humanitarian clusters has been transferred to counterparts in Ministries, with Government representatives present in all clusters. UNDP, the Office of the Special Envoy for Haiti and other partners have supported the Ministry of Planning in the development of a customized aid information management system to bolster national capacity to monitor external aid, and ultimately to facilitate national planning and budgetary decisions.

Office of the Special Envoy for Haiti

51. My Special Envoy for Haiti, former United States President William J. Clinton, and the Deputy Special Envoy, Dr. Paul Farmer, have actively identified and sought to address gaps in the United Nations response to the earthquake, in both humanitarian and development operations. These efforts have included coordination work in the management of debris, the construction of hurricane and transitional

shelters, strengthening protection of women and children against violence, and initiatives in the education, energy and health sectors. The Office of the Special Envoy has also been tracking aid pledges and disbursement of funds, liaising with the Interim Haiti Recovery Commission and the international financial institutions, working to ensure coherence across United Nations operations in Haiti, and coordinating and tracking non-governmental organizations. The Special Envoy has also been particularly effective in advocating for donors and non-governmental organizations to channel resources to direct budget support for the Government of Haiti.

Establishment of the Interim Haiti Recovery Commission

52. The Interim Haiti Recovery Commission was created by presidential decree on 21 April to coordinate and oversee recovery and reconstruction efforts under the co-chairmanship of the Prime Minister, Jean-Max Bellerive, and former United States President Clinton. Its role is to provide high-level coordination and strategic direction by linking the work of line ministries and the Ministry of Planning without compromising their respective roles.

53. The Board of the Commission held its second meeting on 17 August 2010 and approved all 29 proposals presented, totalling $1.66 billion, including eight proposals submitted by the United Nations. Approval by the Commission does not translate into immediate funding, however, since the funds available in the Haiti Reconstruction Fund remain modest ($134.2 million) in comparison to the overall funding requirements. The proposals having been approved by the Board, the United Nations needs to mobilize $200.7 million. The Co-Chairs of the Commission have indicated that efforts to accelerate the work of the Commission were hindered by the slow disbursement of donor funding. To date, of the total pledged for 2010 excluding debt relief, 18.9 per cent ($506 million) has been disbursed and an additional 19.5 per cent ($523 million) has been committed. Of the pledged amount, it is anticipated that less than 10 per cent will be channelled through the Haiti Reconstruction Fund.

54. The Steering Committee of the Haiti Reconstruction Fund also met on 17 August. Canada signed its contribution of $30 million, while France and the United States pledged contributions to the Fund ($30 million and $100 million respectively). So far, the Fund has disbursed $25 million to the World Bank as a partner entity, which will be provided to the Government as general budget support. Two new proposals were approved in principle by the Steering Committee — one from UNDP/UN-Habitat/ILO on debris management for $17 million, and one from the Bank of the Republic of Haiti on a partial guarantee fund for enterprise development for $12.5 million.

VI. Way forward

55. Despite progress made in the delivery of life-sustaining humanitarian assistance and early recovery, the fundamental consequences of the earthquake, including the further weakening of State capacity, will require sustained international commitment. The Security Council's response to the earthquake was quick and decisive: it immediately reinforced MINUSTAH with a post-earthquake troop and police surge, and mandated the Mission to provide logistical and technical

support to the Government of Haiti in the areas of its mandate as a temporary measure until Haitian national capacity is developed. MINUSTAH and the United Nations country team will have completed an integrated strategic framework by September, which will guide the work of the United Nations system in the coming months.

Security environment

56. The holding of credible presidential and legislative elections in 2010 and the inauguration of a new President and Government early in 2011 will be key milestones. MINUSTAH will conduct a comprehensive assessment of the security situation after the transfer of power in order to develop a draw-down plan for the surge military and police personnel. Factors to be considered at that stage would be the security and political environment following the elections and transfer of power; the capacity of the Haitian National Police, especially with regard to the protection of displaced persons; and the number of requests for escorts for relief activities.

Provision of logistical support and technical expertise to the Government of Haiti

57. Beyond the Mission's ongoing technical assistance activities, as an exceptional post-earthquake measure, and in accordance with resolution 1927 (2010), MINUSTAH developed plans to provide limited logistical assistance to the Ministry of Justice and Public Security, the judicial and corrections institutions and the Haitian National Police to enable them to continue core operations. It is envisaged that MINUSTAH logistical support would permit the establishment of 16 community police substations equipped to assist victims of sexual and gender-based violence in internally displaced person camps and crime-prone areas. Limited logistical support would be provided to increase the capacity of the police Brigade de protection des mineurs to respond to child rights violations, particularly in the camps, and to strengthen the capacity of the National Police to conduct forensic investigations. Logistical support will be provided to judicial institutions to establish 10 rooms for hearings. In addition, the Mission is consulting with the Ministry of Justice and Public Security regarding the appropriate justice sector expertise that could be provided through secondment of justice experts, as noted in my last report. The Mission envisages the provision of 21 temporary offices to accommodate staff from the Ministry of Justice and Public Security, the Magistrate's School and corrections institutions. The Mission will also provide containers and office equipment to up to 30 local state institutions affected by resettlement to plan, manage and deliver public services. Capacity-building for local officials would be provided through training on planning, project management, budget, and performance measurement.

58. The support outlined above should be considered a stop-gap measure until mid- to long-term donor assistance begins to materialize. The overall cost of the Mission's logistical support to the Government, including capacity-building and operational costs to maintain the assets provided, would be less than 1 per cent of the proposed MINUSTAH budget for 2010/11.

Support to early recovery activities

59. MINUSTAH will continue to address gaps in recovery activities that are closely linked to critical security needs, and to generate economic opportunities for

the displaced and communities or those living in violence-affected areas until June 2011 through quick-impact projects and community violence reduction projects. Community violence reduction funds should continue at an expanded level into the foreseeable future, as the projects they fund focus on communities at risk before the earthquake, with a view to encouraging the voluntary return of residents to their original neighbourhoods. The value added of such intervention is substantial, given the preventive nature of such targeted programming. A higher level of quick-impact projects will also continue over the coming months, but will decrease as reconstruction activities increase. The level of donor assistance at the community level will be a benchmark for phasing out quick-impact projects to pre-earthquake levels.

VII. Financial aspects

60. By its resolution 64/278 of 24 June 2010, the General Assembly authorized the Secretary-General to enter into commitments in a total amount not exceeding $380 million for the operation of MINUSTAH for the period from 1 July to 31 December 2010. My proposed budget for the Mission for the period from 1 July 2010 to 30 June 2011 will be submitted to the General Assembly for its consideration during the main part of its sixty-fifth session.

61. As at 30 June 2010, unpaid assessed contributions to the Special Account for MINUSTAH amounted to $155.6 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,363.5 million.

62. As at 16 August 2010, amounts owed to troop and formed police unit contributors to MINUSTAH totalled $23.4 million. Reimbursement of troop and contingent-owned equipment costs have been made for the periods up to 31 May 2010 and 31 March 2010, respectively, in accordance with the quarterly payment schedule.

VIII. Observations

63. Nearly five months have passed since my last report. During that period, MINUSTAH enhanced its capacity, through the recruitment of additional civilian staff, as well as the deployment of additional military and police granted by the Security Council in its resolutions 1908 (2010) and 1927 (2010). Meanwhile, the Mission has been working tirelessly to meet ongoing challenges, putting in place measures to address the protection of vulnerable groups, and preparing its support for the elections.

64. Haiti, under the Government's leadership and with international support, has successfully avoided a second-wave disaster of epidemics or social unrest. Nevertheless, with hundreds of thousands of people expected to remain in camps or improvised shelters over the coming year, the political, social and economic situation will remain fragile. The potential for social unrest exists, and it is to the great credit of the Haitian people that large-scale disturbances have so far been avoided despite the extremely harsh and precarious conditions of so many. The challenge of debris removal cannot be understated. It is absolutely crucial for reconstruction efforts to advance further.

65. Haiti is now entering a period of change which will be critical to its future stability. The most immediate challenge, besides reconstruction, is the organization of presidential and legislative elections. Those elections must be credible and legitimate in order to bring in a President and Government with a clear and uncontested mandate to lead the reconstruction process. It is my hope that the elections will see a large participation of the Haitian people. Political stability will be essential for recovery and the resumption of socio-economic development. The international community must make good on its commitments to support the elections, including through robust monitoring to build confidence in the process. MINUSTAH will continue its steadfast support, including in the potentially volatile period after the elections. For this, the current troop and police levels need to be maintained, until an assessment of the security environment is conducted after the installation of a new President and Government.

66. Beyond the holding of elections, important political tasks remain. A vital matter for the newly elected legislature and Government will be the completion of the constitutional reform process initiated by the Government of President Préval, which aims at simplifying the electoral cycle and increasing the economic participation of the diaspora.

67. A major challenge facing the Government is the sustainable resettlement of displaced persons to permanent accommodation. The needs of distinct categories of people — including those whose homes have been destroyed, renters who have been forced out of the rental market, and those who never had adequate housing even before the earthquake — must be addressed. The challenge is multifaceted. Decisive leadership will be needed in resolving complex questions related to land, property and rental rights. A balance will also need to be struck between the provision of essential services for the displaced population, and the need to encourage camp residents to return to their communities and neighbourhoods of origin. The urban, predominantly poor background of the majority of the displaced renders this aspect of the relief to recovery transition particularly complex. Even before 12 January, a significant number of the displaced were living in conditions comparable to, and in many cases worse than, those in the camps. The onus must therefore be placed on incentives, through the provision of adequate shelter and basic services, including in health and education, in areas of resettlement, as well as the establishment of a strong protective environment for all, in particular women and children. Efforts must be made, through the decentralization process foreseen in the Government's action plan, to redress the historical influx of people from rural areas caused by the collapse of the agricultural sector in the 1980s. With over a million displaced currently living in makeshift conditions, and the risk of transitional shelters evolving into a "new generation" of slums, there is a continuing need for a clear, considered and comprehensive strategy for the resettlement of earthquake victims and the urban poor.

68. Protecting the displaced population and vulnerable groups is a key priority for MINUSTAH and its international partners. While some progress has been made since April to address protection needs, much remains to be done. As noted above, MINUSTAH and the United Nations country team are working together to implement comprehensive measures aimed at protecting internally displaced persons, in support of the Haitian National Police.

69. Drug trans-shipment through Haiti is an underlying problem that, if unchecked, will undermine all efforts by the Government and the international

community to build State institutions and political stability. The trans-shipment of cocaine through Haiti towards the United States, already large-scale, has reportedly increased since January as a result of a weakening of State authority caused by the earthquake. Drug money, which continues to weave its way into the State apparatus, has had a corrosive effect on key rule of law institutions, including Customs and judicial officials, as well as the Haitian National Police. In support of the Government's efforts to address drug trafficking, alongside the Haitian National Police and immigration and Customs authorities, MINUSTAH military and police have expanded their assistance to border management efforts through increased land and maritime patrols and air surveillance. Moreover, United Nations police continue to conduct monitoring and mentoring activities at border crossing points, and provide technical capacity-building in border management to the Haitian National Police. However, collective efforts must be increased to deter the illicit activities. Haiti's partners in the international community should continue and intensify their assistance to the Government of Haiti in this regard.

70. The efforts and generosity of the international community, particularly Haiti's Caribbean and hemispheric neighbours, to support the rebuilding of Haiti are commendable. I welcome the establishment of the Interim Haiti Recovery Commission, which will play a central role in coordinating medium- and long-term reconstruction efforts in Haiti. Nevertheless, with less than 10 per cent of the pledged amount expected to be channelled through the Haiti Reconstruction Fund, I am concerned by the paucity of flexible/unearmarked funds that will be at the Government's disposal to pursue its priorities. Channelling support to Haiti through the Commission, rather than through bilateral arrangements, strengthens the capacity of the Government to fulfil its action plan and take ownership of the reconstruction process, a key ingredient for "building back better". I count on donors' continuing commitment to Haiti's recovery, and welcome the Special Envoy's efforts to secure timely disbursement of the pledges made at the international conference in March 2010.

71. Without tangible and visible reconstruction dividends, the fragile stability of the past months may be compromised. The success of MINUSTAH, and its eventual drawdown, is linked to progress in the reconstruction effort. The logistical and technical expertise that MINUSTAH has been authorized to provide to the Haitian authorities by the Security Council are only stop-gap measures until such a time as alternative structures are in place to support Haitian capacity.

72. As Haiti recedes from media attention, it is important that donors and other international supporters not forget the magnitude of the January earthquake. Rebuilding Haiti will be a long-term project. It will require decisive leadership on the part of the Government of Haiti, with the sustained support of the international community.

73. I would like express my gratitude to my Special Envoy for the role he continues to play in leading the overall international effort. I would like to conclude by expressing my admiration for and gratitude to my Special Representative, Edmond Mulet, and to the men and women of MINUSTAH for their commitment and fortitude — while still mourning the loss of their colleagues and friends — to help to stabilize Haiti.

Annex I

United Nations Stabilization Mission in Haiti: countries providing military staff and contingents (as at 23 August 2010)

	Staff officers		*Troops*		
Country	*Females*	*Males*	*Females*	*Males*	*Total*
Argentina		10	31	656	697
Bolivia		3	16	189	208
Brazil		23	9	2 133[a]	2 165
Canada	2	8	—	—	10
Chile		5	12	485	502
Ecuador		1	—	66	67
France		2	—	—	2
Guatemala		5	13	129	147
India		1	—	—	1
Japan		2	—	189	191
Jordan		10	—	602	612
Nepal		15	17	1 043	1 075
Paraguay		—		—	
Peru	1	5	—	366	372
Philippines	1	1	6	149	157
Republic of Korea	1	1	4	236	242
Sri Lanka		12	—	949	961
United States of America		2	7	—	—
Uruguay		13	42	1 075	1 130
Total	**7**	**124**	**150**	**8 267**	**8 548**

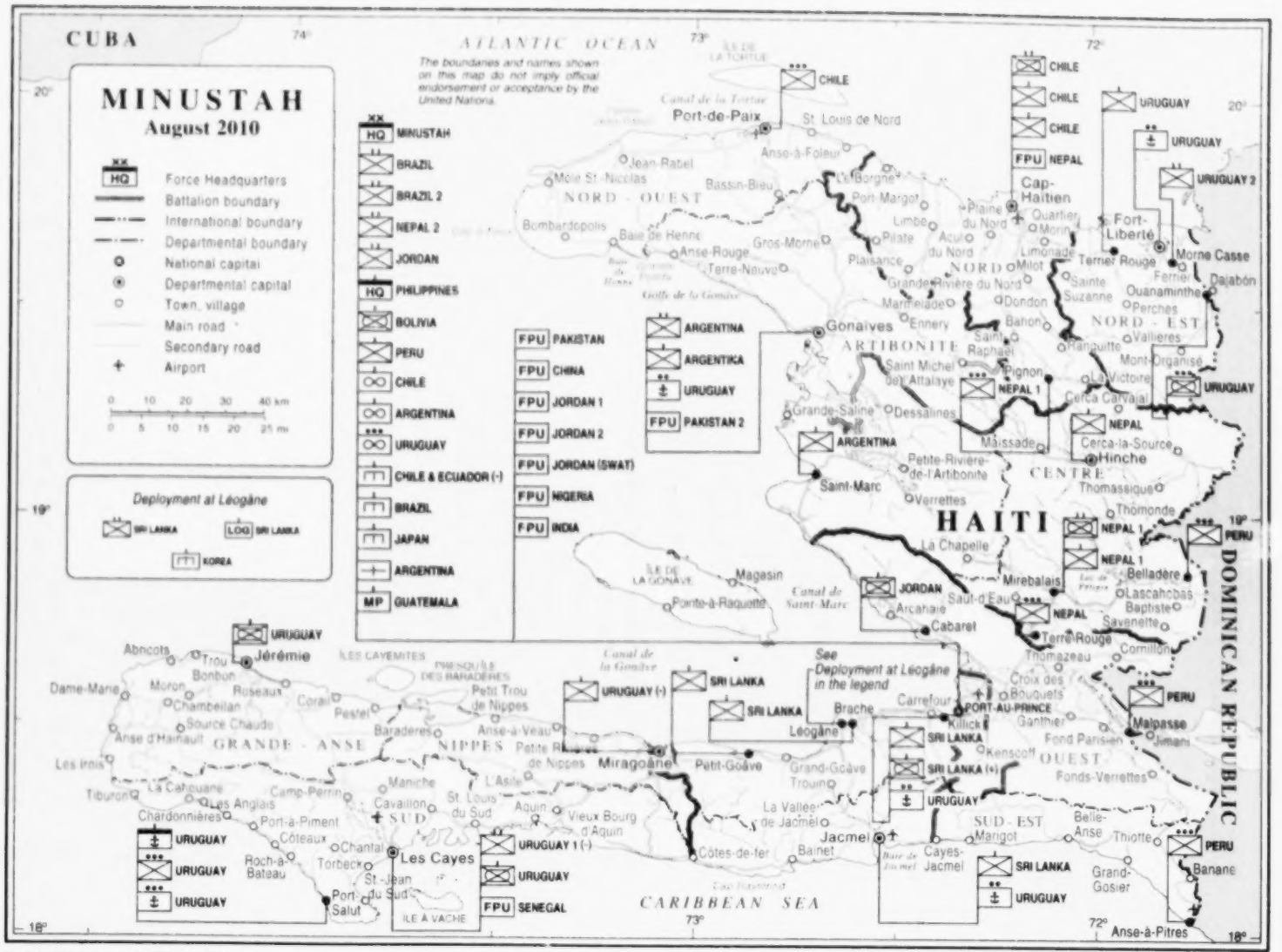
[a] Including one Peruvian attached to the Brazilian contingent.

Annex II

Composition and strength of the police of the United Nations Stabilization Mission in Haiti (as at 23 August 2010)

	Number of United Nations police		*Number of formed police units*	
Country	*Female*	*Male*	*Female*	*Male*
Argentina	0	21	0	0
Bangladesh	0	7	120	200
Benin	1	42	0	0
Brazil	0	4	0	0
Burkina Faso	3	29	0	0
Burundi	0	4	0	0
Cameroon	1	10	0	0
Canada	14	98	0	0
Central African Republic	3	8	0	0
Chad	2	19	0	0
Chile	3	12	0	0
China	3	13	0	0
Colombia	0	21	0	0
Côte d'Ivoire	11	77	0	0
Croatia	0	3	0	0
Egypt	0	24	0	0
El Salvador	3	12	0	0
France	5	58	1	73
Grenada	0	3	0	0
Guinea	0	42	0	0
Guinea-Bissau	2	5	0	0
India	3	7	0	299
Indonesia	1	6	0	0
Italy	0	1	0	117
Jamaica	0	8	0	0
Jordan	0	54	0	319
Kyrgyzstan	0	2	0	0
Lithuania	0	2	0	0
Madagascar	0	28	0	0
Mali	3	56	0	0
Nepal	3	62	12	128
Niger	3	44	0	0
Nigeria	5	2	22	118
Pakistan	1	23	0	280

	Number of United Nations police		*Number of formed police units*	
Country	*Female*	*Male*	*Female*	*Male*
Philippines	5	32	0	0
Romania	6	17	0	0
Russian Federation	1	8	0	0
Rwanda	30	31	0	0
Senegal	0	33	0	140
Serbia	0	5	0	0
Spain	2	32	0	0
Sri Lanka	0	26	0	0
Sweden	1	2	0	0
Togo	0	4	0	0
Turkey	0	35	0	0
Thailand	5	14	0	0
United States of America	6	38	0	0
Uruguay	0	5	0	0
Yemen	0	17	0	0
	128	1 106	155	1 674
Total	**1 234**		**1 829**	
Grand total		**3 063**		



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Report of the Secretary-General on Somalia

I. Introduction

1. The present report is submitted pursuant to the statement by the President of the Security Council of 31 October 2001 (S/PRST/2001/30) and Security Council resolution 1872 (2009), and as specified in paragraph 20 of resolution 1910 (2010), in which the Council requested me to report on all aspects of the resolution every four months. This report provides an update on major developments in Somalia since my report of 11 May 2010 (S/2010/234) and assesses the political, security, human rights and humanitarian situation as well as progress made in implementing the United Nations strategy for Somalia. The report also covers the operational activities of the United Nations and the international community, as well as developments in counter-piracy activities.

II. Main developments in Somalia

A. Political developments

2. The reporting period was characterized by tensions within the transitional federal institutions, as well as increased concern on the part of the Somalis and the international community regarding the performance of the Transitional Federal Government in providing security and other basic services to its people. These concerns resulted in several high-level meetings of the Intergovernmental Authority on Development (IGAD), the African Union, and the United Nations, which highlighted both the urgency for the transitional federal institutions to work as credible institutions and the need to address the urgent financial needs of the African Union Mission in Somalia (AMISOM).

3. In May, there were several internal disputes between the Parliament and the Cabinet. As a result, on 16 May, the President, Sheikh Sharif Sheikh Ahmed, dissolved the Cabinet. The Speaker of Parliament also resigned on 17 May and was later replaced by the former Finance Minister, Sharif Hassan. The President later rescinded his decision, however, and reinstated the Prime Minister and his Government on 20 May. On 3 July, the Prime Minister, Omar Abdirashid Ali Sharmarke, announced a newly reshuffled Cabinet of 39 members, including five members from Ahlu Sunnah Wal Jama'a (ASWJ) and new members from the Somali diaspora.

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4. Despite these political complications and the difficult security environment, the United Nations, the African Union, IGAD and the international community continued efforts to promote peace and security in Somalia. My Special Representative continued working with all parties to ease the political tensions and implement the internationally endorsed strategy for Somalia. As part of my efforts to move the political process in Somalia forward and to sustain international attention to the political, security, humanitarian assistance and development needs of Somalia, the Government of Turkey and I jointly convened the Istanbul Conference from 21 to 23 May 2010. The meeting was effective in highlighting the international community's concern over and commitment to Somalia. There were several appeals from many of the participants for the President and his Government to put in place a credible government and minimize internal disputes. The Istanbul Declaration adopted at the Conference, reflected a consensus within the international community on a number of points, including the need for more effective action by the Transitional Federal Government; encouragement for groups outside the Djibouti Agreement to join the peace process; and the necessity of building Somalia's security forces and strengthening the capacity of AMISOM to secure key strategic areas in Mogadishu. The Istanbul Declaration encouraged the Somali private sector to play a positive role in the peace process. As a follow-up, the United Nations Political Office for Somalia (UNPOS) co-chaired on 8 June a meeting with the Islamic Development Bank and Turkey, at which a task force was established to undertake recovery activities in the areas of basic services, livelihoods, infrastructure and energy.

5. In response to increased insurgent activities against the Transitional Federal Government, the IGAD Assembly of Heads of State and Government held its fifteenth extraordinary session in Addis Ababa on 5 July. It noted with concern the deteriorating security situation in Somalia, and decided to immediately deploy 2,000 additional peacekeepers under AMISOM. It further agreed to work with all concerned parties, including AMISOM and the Security Council, to substantially raise the AMISOM troop level for deployment throughout Somalia.

6. Further indications of the regional impact of the instability in Somalia were the suicide attacks on 11 July, targeting an Ethiopian restaurant and a sports club in Kampala during the FIFA World Cup final. Over 70 people were killed and many more injured. The Kampala attacks, later claimed by Al-Shabaab, revealed, for the first time, Al-Shabaab's ability to plan and execute terrorist attacks outside Somalia's borders — against countries and entities that threaten its insurgency and radical ideology. The attacks demonstrated that Al-Shabaab remains a serious security threat for Somalia, the subregion and the wider international community. It should be noted that, following the Kampala attacks, the leaders of Uganda and Burundi have reiterated their determination to continue supporting stabilization efforts in Somalia.

7. Shortly after the IGAD summit, the African Union Assembly held its fifteenth ordinary session in Kampala from 25 to 27 July. Somalia dominated discussions at the Summit, during which African leaders expressed a strong sense of urgency for the Transitional Federal Government to do more in enhancing its governance structures and to resolve internal disputes within its leadership structures. The African leaders lauded AMISOM for its efforts at supporting the Transitional Federal Government. The summit endorsed the decisions of IGAD and mandated the African Union Commission to plan new phases for strengthening AMISOM.

8. On the sidelines of the African Union summit, the United States Assistant Secretary of State for African Affairs, Ambassador Johnnie Carson, facilitated a mini-summit on Somalia on 26 July, attended by the Presidents of Djibouti, Kenya, Somalia, Uganda and the United Republic of Tanzania, the Prime Minister of Ethiopia, the Chairperson of the African Union Commission, my Deputy Secretary-General and other representatives of the United Nations. The participants discussed ways to support the implementation of the proposals made by IGAD, particularly to increase support to AMISOM and the Transitional Federal Government. In that connection, the United States offered to facilitate the deployment of an additional 2,000 troops under AMISOM.

9. Despite the rifts between the Cabinet and Parliament, Somalia's Independent Federal Constitution Commission continued working on the draft constitution from Djibouti. On 1 July, the Commission formally launched a consultation process on the draft constitution, which entails a series of civic education and public initiatives, scheduled to last until September 2010. The first draft constitution is expected to be issued by December 2010. In that context, the Commission and representatives of the Consortium Partners held a seminar with members of civil society on 3 and 4 July to build a shared understanding of the constitution-making process, the consultation process and the role of civil society in civic education and public consultations. Meanwhile, the Chairman of the Commission stated that a number of contentious issues, including the adoption of a presidential versus a parliamentary system of government, the role of sharia, and the status of Mogadishu in the context of federalism, would be referred to the consultation process for further deliberation.

10. Major political developments in other parts of Somalia included the "Presidential election" of 26 June in "Somaliland", which was described as free, fair and transparent by international observers. On 1 July, the National Electoral Commission declared Ahmed Mohamed Mohamoud "Silanyo", of the opposition party Kulmiye (Peace, Unity and Development), the winner with 49.59 per cent of votes. The result was endorsed by the Supreme Court on 11 July, and President Silanyo was sworn in on 27 July. The new President has appointed a Cabinet composed of 20 ministers and six vice-ministers, three of whom are women. On 5 July, the "Puntland" Parliament held its first meeting, at which it reviewed the 2009 budget and discussed the completion of judicial reforms.

B. Security situation

11. During the reporting period, volatility and insecurity increased in Mogadishu. AMISOM and the Transitional Federal Government frequently engaged the insurgents, in response to increased mortar fire and direct attacks against Villa Somalia and the seaport. Sporadic mortar fire into the airport continued. Mortars also impacted regularly near the United Nations common compound and the UNICEF compound.

12. AMISOM military operations to secure positions in key districts in Mogadishu led to fierce battles, including fighting on 4 July between Al-Shabaab and Government/AMISOM forces in the Abdiaziz district, as well as an attack by Al-Shabaab in Bondere on 22 July. In other parts of the capital, the military stalemate largely continued, with disparate militia controlling most neighbourhoods in Mogadishu. There was a sharp decline in the number of Government and

AMISOM casualties, most likely as a result of improved security measures and counter-improvised explosive device procedures. The frequency of attacks with improvised explosive devices has however led to an increase in civilian casualties during the reporting period.

13. Beyond Mogadishu, sporadic clashes between Al-Shabaab and ASWJ continued in the central regions, albeit with no significant changes in control of territory. Al-Shabaab continued to control the town of Kismaayo and its seaport, while its positions in the Juba Valley and along the Kenyan border continued to be attacked sporadically by local clan militia associated with the Transitional Federal Government and by the rival Ras Kamboni group.

14. Meanwhile, Hizbul Islam was severely weakened following the severance of ties in May with the Ras Kamboni group. This has undermined Hizbul Islam's efforts to gain positions from Al-Shabaab in various regions in southern central Somalia. During the reporting period, it was alleged that Al-Shabaab and Hizbul Islam militia were responsible for several security incidents in border towns inside Kenya.

15. The security situation in "Puntland" has generally become more volatile for several reasons, including inter-clan disputes and continuing targeted assassinations of government officials. Further exacerbating the situation was the increased activity of a clan militia located in the foothills of the Golis mountain range, believed to have close connections to Al-Shabaab. On 23 July, that militia attacked five villages and a military checkpoint along the main road between Boosaaso and Garoowe, which triggered fierce clashes with "Puntland" forces.

16. The situation in "Somaliland" has remained stable during the reporting period, with the exception of a few security incidents related to the "presidential" elections held in June. However, isolated clashes were reported in the disputed Sool and Sanaag regions, in particular the Buuhoodle border area between a group known as the Sool, Sanaag and Cayn militia and "Somaliland" troops.

17. Continuing insecurity has hampered United Nations operations in Somalia by limiting freedom of movement for United Nations staff and contractors. In July, Al-Shabaab seized the compound of the World Food Programme (WFP) and the houses of six national staff in Wajid and attempted to loot non-food items from the WFP compound in Buaale. United Nations security missions continued in the central regions to assess the security conditions and obtain assurances from local authorities for an expansion of United Nations operations from Gaalkacyo to Dhuusamarreeb and to the coastal town of Hobyo.

C. Piracy

18. Piracy attacks continued to have a negative impact on maritime safety and navigation off the coast of Somalia, constraining economic prospects, compromising business confidence and worsening security in the area. The international naval presence in the region has made considerable progress in containing the threat of piracy, but much more needs to be done, notably to address the root causes of the problem by restoring stability and the rule of law inside Somalia. On 14 May, the President of the General Assembly convened an informal meeting of the Assembly, on international maritime piracy. I called for strong, concerted action against piracy

and suggested possible avenues for a collaborative international response to the problem. On 12 and 13 July, the Government of Seychelles convened a symposium on piracy, which received international pledges to support local and regional efforts to re-establish the rule of law in the Indian Ocean region.

19. The Contact Group on Piracy off the Coast of Somalia held its sixth plenary meeting on 10 June with the participation of 53 countries and organizations. As at 10 June, the Board of the trust fund supporting initiatives of States countering piracy off the coast of Somalia had unanimously approved seven projects amounting to more than $2.4 million. Six of the projects will help to strengthen judiciary and correctional institutions in Seychelles and Kenya, as well as in "Puntland" and "Somaliland".

20. On the basis of a request by Working Group 1 of the Contact Group, a Somali counter-piracy technical coordination mechanism, referred to as the "Kampala process", was established in January 2010. This mechanism involves the Transitional Federal Government and "Puntland" and "Somaliland" officials at the technical level. The mechanism has developed terms of reference for coordination between the three entities on counter-piracy monitoring, internal coordination and information-generation and -sharing. UNPOS, in collaboration with partners, will provide secretariat functions, based in Hargeysa, to improve coordination among regional counter-piracy offices and advance an integrated law reform strategy.

21. Pursuant to Security Council resolution 1918 (2010), on 26 July I submitted a report (S/2010/394) on possible options for prosecuting and imprisoning suspected Somali pirates. As requested by the Security Council in resolution 1897 (2009), I intend to submit, by October a comprehensive report on piracy covering the current situation off the coast of Somalia and the efforts undertaken by all relevant actors, including the International Maritime Organization, the Office of Legal Affairs, the United Nations Office on Drugs and Crime, the United Nations Development Programme (UNDP) and UNPOS.

D. Humanitarian situation

22. Fighting between insurgents and Government forces in Mogadishu continued to adversely affect civilians. According to the World Health Organization, approximately 1,600 civilian casualties were admitted to the two main hospitals in Mogadishu from 20 March to 11 July. That figure includes almost 400 children under the age of 5 and 48 registered deaths. Meanwhile, Mogadishu's already weak health services are struggling to cope with the casualties.

23. The countrywide above-average rains during the April to June Gu rainy season improved the food security situation, thus reducing the number of people in need of emergency food assistance. The United Nations Food Security Analysis Unit is currently conducting a nationwide needs assessment which will be completed by September. The previous assessment, conducted six months ago, found that 3.2 million people, or 43 per cent of the population, were in need of emergency food assistance. WFP continues to provide assistance to 1.8 million people in all areas of Somalia with the exception of areas under Al-Shabaab control. The ongoing conflict, particularly in Mogadishu, displaced 179,000 people in the first quarter and 75,000 in the second quarter of 2010. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), in July 16,600 people were displaced

from Mogadishu, 8,800 of whom fled the city, while 7,700 moved to relatively calmer districts within Mogadishu. Somalis continue to flee into neighbouring countries: more than 50,000 refugee arrivals were registered by UNHCR by July, bringing the total number of Somali refugees in the region to more than 600,000.

24. On 19 and 20 July, the "Puntland" authorities undertook security sweeps in Boosaaso, which led to the round-up and forced removal of some 900 internally displaced persons and the deportation of foreigners suspected of having connections with the insurgency or of being potential targets for recruitment by the insurgents. In the course of the operation, refugees and asylum-seekers identified by UNHCR were handed over to the office for registration and documentation, while displaced persons from southern and central Somalia were released in Galguduud Province. An inter-agency response was organized in Gaalkacyo to provide humanitarian relief to the deportees and Somalis forcefully removed from Boosaaso, prior to their onward journey to Galguduud. It is estimated that "Puntland" hosts more than 100,000 internally displaced persons, mainly from southern Somalia.

25. The forced movement of people, combined with the rains, has limited people's access to clean water and basic health services. Over 200 health facilities across Somalia reported 14,895 cases of acute watery diarrhoea from May to July, of which 1,100 involved children under 5. In addition, access to water for the 366,000 internally displaced persons in the Afgooye corridor has decreased from 14 litres per person per day to 11.7 litres, for lack of funding.

26. Non-governmental organizations and United Nations agencies have maintained operations in southern Somalia and continue to provide support to internally displaced persons in the areas of health and education. United Nations agencies and non-governmental organizations have expanded their programmes and are monitoring the impact of the suspension of WFP food aid on malnutrition rates. Activities such as immunization coverage, access and quality of nutrition services for severely malnourished children have significantly affected school enrolment rates, particularly among internally displaced persons. In addition, UNHCR has coordinated the distribution of non-food items and shelter items throughout Somalia.

27. In June, an in-depth review of the consolidated appeals process was conducted, in the light of the limited access and funding available in 2010. The overall requirements have now been reduced by 15 per cent, from the original requirement of $689 million to $596 million. As at 26 July, the consolidated appeals process had received $337 million, of which 52 per cent ($174 million) was a carry-over from 2009. During the first half of 2010, only $151 million in new funding had been received for the consolidated appeals process, compared to $237 million in new funding during the same period in 2009.

28. The reduced funding has affected humanitarian programmes across all areas of intervention. Consequently in June 2010 the Common Humanitarian Fund for Somalia allocated $20 million in funding for projects in the sectors of nutrition, health, water, sanitation and hygiene, and agriculture and livelihoods to support regions with the most urgent humanitarian needs, namely Mudug and Galguduud, the Afgooye corridor and Banadir, Bay and Lower Juba.

E. Human rights and protection of civilians

29. The intense fighting in Mogadishu in June and July heightened the suffering of the civilian population, highlighting the need for all parties to pay greater attention to the principles of international human rights and humanitarian law relating to the protection of civilians. Shelling of residential areas continued to cause casualties, and many people were reportedly trapped in their homes for days as massive shelling hindered humanitarian access and caused thousands to flee. The United Nations, the African Union and AMISOM continued discussions on collaboration with regard to strengthening the protection of civilians and reducing casualties.

30. A United Nations team visited Dadaab refugee camp in Kenya and interviewed a cross-section of individuals who had fled southern and central Somalia. The testimonies gathered illustrate patterns of violations and abuse, including the failure by all parties to the conflict to protect civilian populations; the use and recruitment of children; and threats, intimidation and other abuses by insurgent groups.

31. From April to early July, UNPOS received reports of nine executions by firing squad or stoning in areas controlled by Al-Shabaab, mostly for alleged spying, adultery or murder; five cases of amputation, and reports of some 28 individuals flogged. Seven cases of beheading were reported, five of which were workers allegedly involved in reconstruction work at the Parliament.

32. Media houses in Mogadishu were caught between orders from Hizbul Islam, which directed all radio stations to stop playing music, and instructions from the Banadir administration of the Transitional Federal Government, which urged radio stations to continue their operations as usual. Other cases reported include the detention and questioning by the Transitional Federal Government of a reporter and a cameraman who took pictures of their wounded colleague caught in the crossfire on 1 July, as well as an arrest warrant issued against a Somali journalist associated with an article in the *New York Times* on the recruitment of children by Transitional Federal Government forces in June.

33. In May, UNHCR called on all States to uphold their international obligations towards refugees, insisting that all returns to southern and central Somalia must be "on a strictly voluntary basis" given the deteriorating security situation on the ground. The statement was made after more than 100 Somalis were forcibly returned to Mogadishu from Saudi Arabia. Nevertheless, Somalis continue to be deported, and it is estimated that 8,000 Somalis may have been deported to Somalia since the beginning of the year.

34. Monitoring networks recorded some 138 incidents of rape, attempted rape/sexual assault, forced prostitution and domestic violence for the period from May to July 2010. Assessments revealed a high prevalence of sexual violence in settlements of internally displaced persons, mainly in "Somaliland", where victims were generally of minority clan origin and bereft of clan protection. It should be noted that gender-based violence remains grossly under-reported, particularly in southern and central Somalia.

35. Human trafficking both inside and outside Somalia remains a serious concern. In May, a report by the International Organization for Migration (IOM) highlighted the widespread nature of trafficking and the vulnerabilities of internally displaced persons and economic migrants, particularly women and children. Together with

"Somaliland" and "Puntland" authorities and civil society, IOM is developing counter-trafficking programmes.

F. Child protection

36. Children continue to be affected by the conflict in southern and central Somalia. The recruitment and use of children in armed conflict is still an issue of major concern, and it is estimated that thousands of children are associated with Al-Shabaab and Hizbul Islam groups. In July, there were consistent reports of the forced recruitment by Al-Shabaab of several hundreds of children, some as young as 9, for training and combat purposes. In addition, there are reportedly hundreds of children present within the forces of the Transitional Federal Government, with numerous media reports highlighting the recruitment of Somali children, including those from Kenyan refugee camps. On 15 June, President Sharif, in a public statement, instructed the Army Chief to investigate the alleged presence of children in the armed forces and to demobilize any under-age recruits without delay. Meanwhile, the United Nations has discussed with senior officials of the Transitional Federal Government the possibility of setting up a task force and developing an action plan for the release of children from the armed forces.

37. Since the beginning of 2010, the United Nations has received reports of more than 100 cases of children killed or injured as a result of indiscriminate shelling, bombing and cross-fire during fighting between insurgents and Transitional Federal Government forces.

III. Resource mobilization

38. The financial constraints facing many of the Member States have had a major impact on funds being committed to supporting the Transitional Federal Government and AMISOM. While 76 per cent ($149.6 million) of the total pledges made at the Brussels Conference in April 2009 have been received, the United Nations does not have resources to adequately pay the police and civil servants and to reimburse countries contributing troops to AMISOM.

39. Experience with the payment of stipends to Somalia police has confirmed that a credible financial mechanism has been put in place for transferring money for salaries and key basic services for the Transitional Federal Government. In July 2010, UNPOS completed payment of subsistence allowance for four months to 784 officers who underwent a three-week refresher course at the Mogadishu Police Academy. This experience may form the basis for a viable mechanism to pay stipends in the future. There has also been a rise in the number of Member States using this financial mechanism in recent months. The United Nations also continues to work with the Transitional Federal Government on accountability and ensuring that resources provided are channelled to areas of critical need.

40. I am grateful to the Government of Norway for the $200,000 contributed to the United Nations-administered trust fund in support of Somali transitional security institutions, to cover the expenses related to the attack in Mogadishu on 3 December 2009. I would also like to recognize the $1.5 million contributed by the United

Kingdom to the trust fund in support of AMISOM, for a radio communication system for AMISOM soldiers.

41. The troop allowances for troop contributors to AMISOM are currently being funded by the European Union. During my recent visit to Burundi, the President, Pierre Nkurunziza, called for a more predictable system for the payment of troop-contributing countries. This message was reinforced during my meeting with President Yoweri Museveni, on 31 May in Uganda, as well as during my discussion with the Chairperson of the African Union, President Bingu wa Mutharika, during my official visit to Malawi in May. The Chairperson of the African Union Commission, Jean Ping, has also explained to me the extreme difficulties the AMISOM troops face with the current funding mechanism. There seems to be a broad consensus on the need to align the troop allowances paid to AMISOM contingent personnel with those applicable to United Nations peacekeepers, but this has yet to materialize. It appears that potential troop-contributing countries have no incentive to deploy their troops to dangerous terrain with inadequate reimbursement.

42. The United Nations and AMISOM are exploring ways to address the persistent lack of funds to pay stipends to Somalia police officers. As noted in my last report, the Government of Japan provided $10 million. These funds have been used to pay arrears to all trained police officers to 31 May 2010. However, an additional $5.4 million is required to cover payments from July through the end of the year. It is critical that all training packages include provision of stipends from now onward.

IV. Implementation of resolution 1910 (2010)

A. Establishment of the United Nations "light footprint" in Mogadishu

43. Despite the fluctuating security situation, the United Nations has continued to maintain a substantive presence in parts of Somalia, as well as a robust intermittent presence through missions inside the country. My Special Representative and other senior United Nations officials have made frequent visits to Mogadishu, and are in the process of establishing a more sustainable political presence to maintain close contact with the Transitional Federal Government and other key Somali actors. Since March, the Mine Action Service has secured accommodation for staff members in an interim camp, which is shared with some components of the United Nations Support Office for AMISOM (UNSOA), the Department of Safety and Security and agencies, as availability allows.

44. A permanent facility, currently being constructed by the Mine Action Service, is to be completed by October 2010 and will accommodate additional international staff. UNSOA will shortly begin construction of offices and accommodation, while the United Nations country team has identified a site for an additional United Nations compound at the boundary of the airport. Secure facilities within the airport terminal area are currently used by UNPOS and the country team for meetings with Somali officials. The establishment of offices for United Nations international staff outside the Mogadishu Airport is not possible under the current security conditions.

45. Meanwhile, the compounds of the United Nations country team and UNICEF in Mogadishu have continued to serve as accommodation and office space for

national staff members, and a new WFP facility at the seaport has been approved by the Department of Safety and Security for use as accommodation and office space. An expansion of the number of national staff members currently engaged in critical programme activities in Mogadishu is being considered, on the basis of permissibility for national staff to reside outside United Nations compounds.

46. Missions outside Mogadishu Airport remain highly risky and dependent on AMISOM transport and protection, a situation likely to continue in the foreseeable future. However, the mandated tasks and priorities of AMISOM bind most of its capacity, which limits the support it can provide to United Nations operations. Discussions are ongoing on the gradual increase of protection measures to enhance the safety of United Nations personnel and operations in Mogadishu.

47. UNPOS is in the process of deploying full-time international political presence in Hargeysa and Garoowe to enhance its engagement with the regional authorities. UNPOS will have to rely on the infrastructure established by the United Nations country team in Hargeysa, Garoowe, Gaalkacyo and Boosaaso and is thus currently negotiating co-location arrangements with the country team.

B. Review of the strategy for Somalia and the United Nations coordinated approach

48. As indicated in my report to the Security Council of 11 May 2010, optimal coordination and joint programming between leading United Nations actors on Somalia are critical to maximize the impact of United Nations activities. To that end and in line with my policy on integration of United Nations operations, from 31 May to 11 June the United Nations Headquarters Integrated Task Force on Somalia undertook a mission to review, together with United Nations field-based presences, the United Nations strategy for Somalia and proposals for better coordination of United Nations efforts.

49. I am currently reviewing the report of that mission. In the meantime, I have emphasized to all United Nations departments and agencies working on Somalia the need to speak with one voice and act in a coherent and coordinated manner. I have also asked my Special Representative to take immediate measures to strengthen coordination between UNPOS and the United Nations country team and UNSOA within the framework of an agreed common vision, objectives and priorities, including support to AMISOM. I intend to develop proposals for an integrated United Nations presence, for the attention of the Security Council.

C. Strengthening the political process

50. UNPOS continued to work closely with the Transitional Federal Government to advance the peace process. UNPOS senior officials conducted several visits to Mogadishu, during which they held consultations with President Sharif and other Somali officials. Similar consultations were held in Nairobi during visits by Somali officials. UNPOS also intensified its engagement with the "Somaliland" and "Puntland" authorities and, inter alia, undertook several visits to both regions and established a range of contacts on the ground.

51. Following a formal request from the Transitional Federal Government, a United Nations needs assessment mission has examined the conditions for the conduct of internationally supervised constitutional referendum and elections, as envisioned in the Transitional Federal Charter. The mission held consultations with several interlocutors in Nairobi, including donors, and with the President of "Puntland". It also held a two-day retreat in Nairobi with the Transitional Federal Government, including the Speaker, the Minister of Constitution and Federal Affairs, as well as the chairpersons of the Independent Federal Constitution Commission and the Parliamentary Constitutional Committee. A report on the outcome of the mission is being finalized.

52. UNPOS established a gender unit in May, to ensure comprehensive gender mainstreaming across its programmes and plans, notably to increase women's participation in Somalia's peacebuilding, political and reconciliation process.

D. Progress towards the strengthening and full deployment of AMISOM

53. In accordance with Security Council resolution 1863 (2009), UNSOA is managing the logistical support package for AMISOM and conducting periodic inspection and verification of all United Nations-owned and contingent-owned equipment in Mogadishu. While the United Nations support package is funded from assessed contributions, AMISOM and its troop contributors also receive financial support from the United Nations trust fund in support of AMISOM. A further strengthening of this mechanism is critical to guarantee the reimbursement of contingent-owned equipment costs and to provide support in areas not financed from assessed contributions. A major challenge faced by the Secretariat is that, despite making generous contributions, most donors have placed caveats preventing any expenditure towards the military component of AMISOM. As a result of this and very minimal additional contributions, funds for contingent-owned equipment reimbursement have been exhausted and the United Nations is unable to reimburse AMISOM troop contributors.

54. UNSOA has improved the living conditions of AMISOM troops, having made significant progress in building accommodation, kitchens and related facilities. Construction projects of prefabricated offices, living accommodation and support facilities, worth $8 million, will be completed in September 2010 to accommodate 4,100 AMISOM personnel.

55. Some progress has also been made in the construction of the AMISOM permanent headquarters and a level II hospital, following completion of the procurement process in May. While the urgent need for accommodation in conformity with United Nations standards for military forces has been met, the current range of United Nations-provided facilities in Mogadishu does not comply with the minimum operating security standards of the United Nations in security Phase V. In order to support the African Union request to relocate AMISOM civilian personnel to Mogadishu, UNSOA is constructing prefabricated buildings comprising three suites, offices and living accommodation for support staff, and one reinforced bunker.

56. In response to the African Union/IGAD decision to deploy 2,000 additional troops, UNSOA has initiated preparations to assist the rapid deployment of those

troops. Meanwhile, UNSOA has augmented the provision of medical equipment to AMISOM to enhance its medical capacities up to a level II field hospital.

57. UNSOA has stepped up its support to secure AMISOM tactical communications; it will provide hand-held radios and install mobile radios in armoured vehicles and armoured personnel carriers. Furthermore, UNSOA has continued to provide training in explosive ordnance disposal to AMISOM.

58. Starting on 1 July 2010, the mandate and functions of the United Nations planning team in Addis Ababa were transferred to the newly established United Nations Office to the African Union. That team helped to formulate the first AMISOM mission implementation plan, to update strategic directives for AMISOM, and to develop the AMISOM police concept of operations.

E. Strengthening of the Somali security institutions and development of a national security strategy

Policy and coordination

59. Under the co-chairmanship of the Prime Minister of the Transitional Federal Government and the Special Representative of the Secretary-General, the Joint Security Committee met on 7 and 8 August in Nairobi. Discussions focused on achieving progress, covering several areas, including support to the Somali security forces and police and the security ministries. The Committee also reviewed and adopted its revised terms of reference, reaffirmed its commitment to the protection of civilians and emphasized the need to avoid civilian casualties through training, information gathering, the provision of appropriate operational equipment and the application of the relevant rules of engagement in conformity with international law. The Committee welcomed the renewed commitment of AMISOM to mentor Transitional Federal Government forces and its efforts to establish a safe zone in Mogadishu. The Committee also encouraged the United Nations, through UNPOS and in partnership with the African Union, to play a catalytic role in mobilizing resources from the international community in support of the Transitional Federal Government and AMISOM. The Joint Security Committee recommended that the international community gradually move its offices back to Mogadishu.

60. UNPOS has continued to coordinate efforts in the following areas: standardizing training for both the police and military; setting up of a military training camp in Somalia; ensuring the establishment of a coordinated mechanism to effect and monitor the payment of stipends; and enhancing the capacity and strategic role of the Joint Security Committee and its working groups. UNPOS also continued to support the Transitional Federal Government in developing long-term options for paying salaries to the security forces from the Transitional Federal Government budget.

Military

61. UNPOS continued to assist the Transitional Federal Government in the development of its armed forces. While the focus is currently to help the national security forces to consolidate and address immediate security threats, significant progress is required in coordinating international assistance and building a common approach to material and training support.

62. The European Union training mission currently consists of 55 military trainers at Bihanga Camp, Uganda, and 20 staff at its Kampala headquarters. The mission aims to train over 1,000 national security force recruits by September, including 97 ASWJ soldiers, followed by another 1,000 recruits. The United States is committed to providing 18 months' worth of stipends to 1,000 soldiers to be trained by the European Union training mission. To date, no donor has offered to continue this commitment. Regrettably, most training pledges made to the Transitional Federal Government to date do not include stipends, which makes desertions and defections highly likely.

Police

63. The United Nations continued to help the Transitional Federal Government to develop a professional and accountable police force, while also supporting police services in "Somaliland" and "Puntland". The initial target of 10,000 Transitional Federal Government police officers, set in the Djibouti peace agreement, was lowered to 7,000 by the Somalia Police Commissioner, in consultation with the Police Technical Working Group of the Joint Security Committee; the Committee endorsed this reduction on 8 August.

64. By mid-July, 4,511 Somalia police officers had been trained under the umbrella of the international community. A total of 500 additional police recruits will be trained in Djibouti for three months, beginning in August 2010. Regarding the 1,100 officers trained in Somalia in 2008 and the 925 officers trained in Ethiopia in 2009-2010, AMISOM will assess the training received and advise on the need for refresher courses, prior to their full integration into the Somalia police force.

Justice and corrections

65. Support to the justice sector, particularly in southern and central Somalia, has proceeded slowly during the reporting period, which saw a change at the helm of the Ministry of Justice. The Chief Justice and the Attorney-General agreed in April to programme the resumption of activities supported by UNDP, including a training programme for judges and prosecutors and the provision of essential equipment, including furniture and legal resources, as well as the rehabilitation of the main justice compound in Mogadishu. The Chief Justice confirmed that the Appeals and Regional Courts at the Banadir Court Compound are operational, as are eight District Courts within areas under the control of the Transitional Federal Government, subject to the day-to-day security situation. The Chief Justice reported that, early in 2010, there were 37 judges, 11 prosecutors and 29 clerks and registrars, as well as 42 ancillary staff employed in those Courts.

66. UNDP is currently undertaking a comprehensive judicial training programme for "Somaliland" and "Puntland" judges and prosecutors, of whom fewer than 5 per cent currently have recognized legal qualifications. It is expected that all judges in both regions will have completed an eight-month course by the end of 2011. It is important to note that prison facilities in "Puntland" are increasingly strained, owing to the rising number of pirates in detention, adding pressure to an already weak penal system. The "Puntland" prison population has grown by approximately 10 per cent per month, the majority of prisoners being detained without due process. UNDP supported the establishment of a prison headquarters in "Puntland" to improve coordination, planning and internal oversight. Medical

supplies and communications equipment were also provided to the penitentiary authorities in "Puntland".

Disarmament, demobilization and reintegration and community security

67. Basic preconditions remain unmet for the implementation of a conventional disarmament, demobilization and reintegration programme in southern and central Somalia. The priority remains to assist the Transitional Federal Government in developing responses for several hundred "transitional" fighters who have abandoned the insurgency.

F. Humanitarian, recovery and development activities

68. Since May, WFP deliveries of over 25,000 tons of food aid have benefited 1.3 million Somalis. Despite the temporary suspension of WFP activities in parts of southern Somalia, it continues to provide food assistance to more than 500,000 people in Mogadishu. During the first half of 2010, WFP and its partners provided emergency food assistance to 100,860 acutely malnourished children and 80,000 pregnant or lactating women. Humanitarian agencies in Somalia reached an estimated 60 per cent of all affected children with severe acute malnutrition, making Somalia one of only three countries in east and southern Africa with such a coverage rate.

69. During the reporting period, Child Health Days reached more than 1.5 million children and 1.3 million women of childbearing age. The Child Health Days have allowed children under 1 to receive the third dosage of diphtheria, pertussis and tetanus vaccine, and for the first time in the past 20 years Somalia has achieved 51 per cent coverage of this vaccine. Meanwhile, seven hospitals were provided with emergency services, including comprehensive emergency obstetric care, in seven regions of southern and central Somalia. From January to July, clean water was delivered to 1.3 million people affected by forced displacement, mainly in southern and central Somalia.

70. Since early in 2010, access to education has increased through the construction of 153 classrooms, rehabilitation of 106 learning spaces and installation of 40 school tents. By mid-year, 57,000 additional children had access to primary education in emergency areas and nearly 2,500 teachers were trained. In total, 109,682 children, of whom almost 51,000 were girls, received basic education. WFP provided school meals to some 64,000 children in primary schools.

71. Rehabilitation of Mogadishu port by WFP continued, including the provision of generators, the supply and installation of port fenders, and the construction of a 64,000-litre water tank, as well as the dredging of berths and the removal of wreckage to facilitate access. Those works have enhanced the effectiveness of the port. In addition, rehabilitation of the Boosaaso port in "Puntland" has begun to improve the functionality of the port.

72. During the reporting period, the United Nations Humanitarian Air Service transported an average of 1,350 aid workers and 16 tons of equipment and supplies on a monthly basis. However, funding resources previously available ran out at the end of July, and the United Nations is urgently seeking $5.5 million to maintain those vital humanitarian flights until the end of 2010.

73. The United Nations continued to work closely with the "Somaliland" and "Puntland" Mine Action Centres and relevant authorities to ensure effective and coordinated mine action activities. Since my last report, the Mine Action Service has trained six humanitarian explosive ordnance disposal and survey teams to conduct survey identification, marking, removal and destruction of explosive remnants of war in southern and central Somalia. Mine risk education activities continued and 149,979 beneficiaries throughout Somalia benefited from awareness messaging during the first half of 2010.

74. In June, the United Nations supported a study tour to Rwanda for 19 officials of the Transitional Federal Government, on the development and implementation of reconciliation, recovery and reconstruction programmes, as well as implementation of public administration and public finance management reforms. Also in June, the United Nations conducted public financial management training for auditors, accountants and the budget department of the Ministry of Finance in Garoowe, "Puntland", while 72 civil servants graduated from the United Nations-supported "Somaliland" Civil Service Institute.

V. Observations/recommendations

75. The reporting period was marked by internal tensions within the Transitional Federal Government and institutions, which diverted attention from the implementation of the key transitional tasks. I appeal to the Government and the Parliament to resolve political disputes and to take concrete steps towards the fulfilment of commitments on the basis of clear benchmarks and timelines and through a systematic and genuine process of consultation and dialogue. It is important that the Transitional Federal Government develop credible government structures to deliver services to its people. The Cabinet must remain focused on implementing the critical tasks ahead, prior to the end of the transitional period in August 2011.

76. In order to support the Transitional Federal Government in addressing some of its most daunting challenges, notably extending its authority and combating the threat of extremism, I appeal to the international community to provide urgent military and financial support and other resources to the Transitional Federal Government. I also strongly encourage donors to scale up their utilization of the Government's PricewaterhouseCoopers facility in the delivery of assistance. I am encouraged by the successful accountability measures introduced by the Government and the tracking mechanisms established by my Special Representative, which are important not only for resource mobilization but also for harnessing the political support needed to advance the Somalia peace process.

77. As Somalia's transition period approaches its end, I am concerned that the transitional agenda remains largely unfulfilled. Unity within the transitional federal institutions remains critical for confidence-building among Somalis and the international community. Now is the time for the transitional federal institutions to show determination to complete the transitional tasks. I am pleased to note the significant progress made in preparation of the draft constitution, and I encourage the transitional federal institutions to initiate an inclusive consultative process and use all possible means to complete this critical transitional task.

78. I am encouraged by the efforts of the Joint Security Committee to coordinate security sector development initiatives. I appeal to the international community to reinforce its support for the training, equipping and sustenance of the Somalia police force and national security forces, including by establishing coordinated mechanisms to perform and monitor the regular payment of stipends.

79. The horrific suicide attacks in Kampala remind us of the danger that the insurgents pose to Somalia, to the subregion and beyond. I extend my heartfelt condolences to the Government of Uganda and other affected Governments, and to the families of the victims.

80. I acknowledge the critical role that the African Union and IGAD play in supporting the Somali peace process. I am pleased to note the increased level of coordination between the United Nations and those important regional organizations. I pay special tribute to AMISOM, which continues to operate in a very difficult environment. I wish to reiterate my call to the international community to urgently lend AMISOM the support it needs to effectively discharge its mandate.

81. Eighteen months after the establishment of existing United Nations funding arrangements to AMISOM, substantial resource gaps continue to adversely affect its effectiveness, and possibly discourage potential troop contributors. It is my belief that the support package for AMISOM should be identical to the support provided to United Nations peacekeeping operations. It is also my belief that rapid action should be taken to ensure parity between the reimbursement rate for AMISOM contingent personnel and United Nations contingent personnel. I intend to hold further consultations with the African Union, the European Union and major donors before presenting proposals to the Security Council to resolve the lack of sustainable funding for reimbursement of the costs of contingent-owned equipment, and to secure long-term commitment to provide troop allowances to AMISOM personnel.

82. Humanitarian organizations are struggling to provide vital assistance to 3.2 million people in Somalia, including internally displaced persons. Resources for key sectors such as water, health and nutrition are less than 40 per cent funded. I call on the donor community to continue its critical support to the people of Somalia. I also call on all parties to the conflict to respect humanitarian principles and allow the delivery of assistance to populations most in need.

83. I remain deeply concerned about the devastating impact of the conflict on the civilian population and the lack of respect for international human rights and humanitarian law. My new Special Representative will continue discussions with the Transitional Federal Government, IGAD and AMISOM on the issue of protection of civilians. I remind all parties to the conflict that those found responsible for war crimes will face justice. In that regard, I support the proposal to document the most serious violations committed, as an essential step in the fight against impunity and for the creation of justice and reconciliation mechanisms.

84. I reiterate my commitment to ensuring maximum coordination of United Nations efforts on Somalia, in line with my policy of integration of United Nations operations. I am pleased that the United Nations team in Nairobi has increased its coordination efforts under the leadership of my new Special Representative. Some of the measures put in place include the establishment of a Senior Policy Group on Somalia, bringing together the Special Representative of the Secretary-General, the

Resident and Humanitarian Coordinator for Somalia, and the Director of UNSOA, to ensure an integrated, coherent United Nations approach to the challenges confronting Somalia. In addition, I intend to take steps towards establishing an integrated United Nations presence in Somalia.

85. I wish to express my deep appreciation to my former Special Representative, Ahmedou Ould-Abdallah, for his unwavering dedication and commitment to advancing the cause of peace and stability in Somalia and to raising the profile of the Somali conflict. His efforts contributed to the Djibouti Agreement, which has served as a strong foundation for the political and security strategy of the United Nations for Somalia. I am particularly grateful for his close engagement with the Somali diaspora, whom he constantly reminded of the benefits of a peaceful and stable Somalia, and for his reminding us constantly of our obligations to the people of Somalia.

86. I call on the Somali people and the international community to lend unwavering support and cooperation to my new Special Representative. I pay tribute to the men and women serving in UNPOS, UNSOA, the United Nations country team, and other relevant organizations, as well as to members of the non-governmental humanitarian community who operate under difficult conditions.

United Nations A/64/904–S/2010/448

General Assembly
Security Council

Distr.: General
27 August 2010
English
Original: Arabic

General Assembly
Sixty-fourth session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fifth year

Identical letters dated 23 August 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit herewith Lebanon's response (see annex) to the allegations contained in the Israeli letter dated 20 August 2010 (S/2010/440) regarding Lebanese vessels that have been attempting to deliver humanitarian assistance to the Gaza Strip.

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

10-49707 (E) 270810 270810

Please recycle

Annex to the letter dated 23 August 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On 20 August 2010, the Permanent Representative of Israel to the United Nations transmitted an official letter to Your Excellency which contained a number of falsehoods and slanders.

In refuting the Israeli allegations, Lebanon would like to clarify its position on a number of matters, the most important of which are the following:

- Lebanon condemns the siege imposed by Israel on the Gaza Strip and calls on the international community to bring pressure to bear on Israel to lift that siege immediately and unconditionally, and to open crossing points in order to allow the free movement of persons, goods and humanitarian assistance;
- The Israeli siege of the Gaza Strip is a blatant violation of international laws and norms, particularly international humanitarian law, and clearly threatens international peace and security. Israel bears complete responsibility for the siege and the humanitarian disaster that it will bring about;
- Lebanese law does not permit maritime vessels or craft to sail directly to ports under the control of the Israeli authorities, including the port of Gaza;
- Lebanon abides by the laws regulating the movement of vessels from its ports. It therefore cannot prevent any maritime vessel from setting sail for any port as long as the vessel, the persons on board and its destination are in compliance with Lebanese law, and the vessel observes the provisions of Lebanese maritime law;
- The Lebanese authorities inspect all maritime vessels leaving Lebanese territorial waters in order to ensure that they are not carrying prohibited cargo and that no unauthorized persons are on board. The Lebanese authorities grant maritime vessels and craft permission to leave as long as the destination, cargo and persons on board are in compliance with Lebanese law;
- Lebanon emphasizes the substance of the statement issued by the President of the Security Council on 1 June 2010, in which the Council stressed that the situation in Gaza was not sustainable and underscored the need for sustained and regular flow of goods and persons to Gaza as well as the provision of humanitarian assistance throughout Gaza;
- Lebanon holds Israel responsible for any aggression against it and calls on the international community to bring pressure to bear on Israel to implement fully Security Council resolution 1701 (2006) and to halt its daily violations of Lebanese sovereignty and its continuing threats against Lebanon, its people and infrastructure;
- The Lebanese Government is most solicitous that the international community should succeed in lifting the siege imposed on Gaza, thereby underscoring the importance of implementing international law. Building on that success, the international community could then make a sincere effort to advance the process aimed at achieving a comprehensive and just peace. That process is of vital importance to achieving peace in our region and throughout the world.

(*Signed*) Ali Hussein **Al-Chami**
Minister for Foreign Affairs and Emigrants

United Nations S/2010/449

Security Council

Distr.: General
10 August 2010

Original: English

Report of the Secretary-General concerning the credentials of the alternate representatives of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 10 August 2010 from the Permanent Representative of China to the United Nations stating that Mr. Xu Jian, Mr. Wu Peng, Mr. Huang Zheng and Ms. Li Jiuan have been appointed alternate representatives of China on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

10-50386 (E) 070910

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United Nations S/2010/450

Security Council

Distr.: General
24 August 2010

Original: English

Report of the Secretary-General concerning the credentials of the representative and alternate representatives of Japan on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials signed on 19 August 2010 by the Minister for Foreign Affairs of Japan, stating that Mr. Tsuneo Nishida has been appointed representative of Japan on the Security Council, and Ms. Asako Okai, Mr. Kosei Nomura and Mr. Tomoaki Ishigaki alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

10-49457 (E) 260810

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United Nations S/2010/451

Security Council

Distr.: General
25 August 2010

Original: English

Letter dated 25 August 2010 from the Secretary-General addressed to the President of the Security Council

I am very grateful that the Security Council today held an important debate on the report of the Secretary-General pursuant to Security Council resolution 1918 (2010) (S/2010/394).

I welcome the presidential statement (S/PRST/2010/16) which was agreed by the Security Council and I am pleased to note the welcome for my intention to appoint a Special Adviser on legal issues related to piracy off the coast of Somalia. I have the honour to inform you that I have requested Mr. Jack Lang (France) to serve in this role.

I am asking Mr. Lang to identify any additional steps that can be taken to achieve and sustain substantive results in prosecuting piracy. Mr. Lang will coordinate closely with the Office of Legal Affairs and the Department of Political Affairs.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

10-49501 (E) 260810

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